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**From:** Gromer, David [Gromer.David@epa.gov]  
**Sent:** 3/13/2020 2:56:57 PM  
**Subject:** News Clips 3/13/2020  
**Attachments:** News Clips 3-13-2020.docx

REGION 2 NEWS

New Jersey Spotlight: Coalition Calls for Carbon Cap-and-Trade Program Across Northeast, Mid-Atlantic

It is time across the Northeast and Mid-Atlantic for the region's governors to adopt a cap-and-trade program to reduce global warming pollution from vehicles, according to a coalition of investors, trade groups and nonprofit organizations.

WSHU Public Radio: EPA Declines To Intervene In Long Island Sand Mine Dispute

The U.S. Environmental Protection Agency will not investigate a controversial sand mine in Noyac, Long Island, despite years of protest by nearby residents who say the mining operation has polluted their drinking water.

InsiderNJ: Pascrell Announces \$1.5M to Keep Lead Out of School Drinking Water

U.S. Rep. Bill Pascrell, Jr. (D-NJ-09) announced today that the U.S. Environmental Protection Agency (EPA) has awarded \$1,537,000 in federal funding to assist New Jersey with identifying sources of lead in drinking water in schools or childcare facilities.

Newsday: Suozzi seeks federal budget boost to help clean up Grumman plume

Rep. Thomas Suozzi urged the House Appropriations Committee Thursday to significantly boost the federal budget for cleaning polluted former U.S. Navy sites, citing the Grumman groundwater contamination plume's continued spread through Bethpage and beyond.

Newsday: Hempstead in legal battle with recycling vendor over contract

The Town of Hempstead is locked in litigation with its recycling vendor over the company's effort to back out of its contract following a shake-up in the global recycling market.

Newsday: Food waste-to-energy plan changes course on power generation

Long Island's first large-scale facility that would turn food waste into renewable natural gas to fuel a small power plant in Yaphank has changed course and will nix the electric-power portion of the project, a company official said this week.

The Post-Star: BLOG: Fort Edward school district had some control over their financial situation

The Fort Edward Union Free School District is in a tough financial situation — facing a \$1.3 million gap in its 2020-2021 budget.

ClimateWire: Big grapple: New Yorkers compete for \$3B in resilience funds

Upstate New Yorkers are eyeing their piece of a \$33 billion climate change response plan rolled out under Gov. Andrew Cuomo's 2021 executive budget proposal.

Greenwire: FAA waives rules that led airlines to fly empty planes

Federal regulators waived a rule yesterday that was causing airlines to fly nearly empty planes just to avoid losing takeoff and landing rights at major airports.

#### Queens Chronicle: Bioswales and new cul-de-sacs placed

The \$41.4 million infrastructure project in Ozone Park that is replacing water mains and sewers, and increasing the sustainability of city streets, has entered yet another new phase.

#### Syracuse.com: As recycling crisis deepens, OCRRA asks: Charge for recyclables? Burn them

Syracuse, N.Y. -- With no signs of the global recycling crisis ending soon, the Onondaga County Resource Recovery Agency is considering drastic measures that could change the face of recycling in Central New York.

#### Newsday: Shelter Island advisory panel sets 4 goals as part of long-term water quality plan

Officials in Shelter Island Town, where nearly 90% of people get their water from private wells, have outlined a long-term water quality plan that suggests enlarging the public water system as one way to address those issues.

### COVID-19 NEWS

#### The New York Times: N.Y.C. Wakes Up in a State of Emergency Over Coronavirus: Live Updates

Life for New Yorkers will change dramatically on Friday night, when restrictions that limit public gatherings go into effect in an extraordinary step to fight the growing outbreak of the coronavirus.

#### The New York Times: Ban on Large Gatherings in N.Y. as Coronavirus Cases Rise Sharply

New York officials instituted a drastic set of measures to try to curb the spread of the coronavirus, placing an indefinite ban on most gatherings of more than 500 people, leading to the shuttering of Broadway shows and sharply impacting how New Yorkers work, eat and worship.

#### NJ.com: How can I be tested for coronavirus? N.J.'s ability is growing, but still limited

The rising numbers only show what's been tested for.

#### NJ.com: N.J. coronavirus update: 29 cases in state, bans on public gatherings, widespread closures and cancellations, schools. What you need to know. (03/13/2020)

The coronavirus pandemic halted more events across the nation on Friday, moving the state to recommend against large gatherings of 250 people or more, while schools closed, sporting events and religious services were canceled and the number of people infected with COVID-19 in New Jersey rose to 29 with one death.

#### The Washington Post: Inside the New York coronavirus 'containment zone,' some residents act like little is amiss

If the pandemic is anywhere, it is here, within a one-mile "containment zone" in a New York City suburb that authorities hope will thwart the coronavirus from spreading any more than it has.

#### The Wall Street Journal: How to Keep Your Home Free of Coronavirus Germs

For many people, staying safe from the new coronavirus means staying home. But infectious germs can live in your house, too.

### NATIONAL

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#### E&E News: EPA won't tighten asphalt emission standards

#### Chemicals

#### DTN: Ag Chemicals: What to Watch For in 2020

## **Congress**

[Bloomberg: Incoming EPA Chief of Staff Already Irking Senate Democrats \(1\)](#)

[Law 360: Trump's Pick For No. 2 At EPA Quizzed On Climate, Fuels](#)

## **Fuel**

[Agri-Pulse: Biofuel supporters warn of political fallout from SRE appeal](#)

## **Personnel**

[The Christian Science Monitor: Is transparency always a good thing? EPA weighs controversial new rule.](#)

[E&E News: Agency brass won't release a photo of Pruitt's phone booth](#)

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[Inside EPA: Federal Agencies Scramble To Protect Workforce From Coronavirus Threat](#)

## **Water**

[E&E News EPA issues guidance on coronavirus at the tap](#)

## **FULL ARTICLES**

## **REGION 2**

## **New Jersey Spotlight**

<https://www.njspotlight.com/2020/03/coalition-calls-for-carbon-cap-and-trade-program-across-northeast-mid-atlantic/>

## **Coalition Calls for Carbon Cap-and-Trade Program Across Northeast, Mid-Atlantic**

IKEA, Hackensack Meridian Health among signatories to proposal for 'once-in-a-generation opportunity to modernize and decarbonize our region's transportation system'

By Tom Johnson

March 13, 2020

It is time across the Northeast and Mid-Atlantic for the region's governors to adopt a cap-and-trade program to reduce global warming pollution from vehicles, according to a coalition of investors, trade groups and nonprofit organizations.

In a letter to 12 governors, the more than 100 signatories called a proposal by the Transportation and Climate Initiative (TCI) a "once-in-a-generation opportunity to modernize and decarbonize our region's transportation system."

TCI's draft proposal is modeled somewhat after the Regional Greenhouse Gas Initiative (RGGI), a cap-and-trade program that has helped to reduce carbon pollution from power plants. In this case, however, motorists at the pump, not utility customers, would pay the cost.

If adopted, the plan could boost prices at the pump by as much as 5 cents to 17 cents a gallon, according to TCI estimates, but could slash tailpipe emissions by 25% over 10 years. The transportation sector is the largest single source of greenhouse gas emissions, accounting for roughly 40% of carbon pollution in New Jersey.

"Legislation like the Transportation and Climate Initiative is a critical piece in achieving the scale and rate of change needed to avoid the most serious impacts of climate change," said James Goudreau, head of climate at Novartis, one of the signatories on the letter.

The 12 states and Washington, D.C. are all members of the TCI, which is seeking to finalize a Memorandum of Understanding this spring to move forward with the cap-and-trade program.

### **Companies supporting the plan**

Among the New Jersey-based corporations to sign the letter were DSM North America; Hackensack Meridian Health; IKEA North America Services, LLC; and Unilever.

Under the program, TCI would establish a regional cap on carbon emissions while auctioning emissions allowances. Proceeds from the allowance sales would be sent back to states and used to pay for electric vehicle incentives, public transit and rural broadband to support telecommuting.

In the letter, the signatories said “the existing transportation system has a chokehold on our economy and our climate goals. We feel an urgency to create a transportation future that enables economic growth and substantial decarbonization.”

The push to move forward on the proposal comes as New Jersey recently adopted a comprehensive plan to build the infrastructure for plug-in electric vehicle charging stations as well as a program to provide rebates to customers to buy zero emission vehicles.

None of the states have committed to the plan, but will decide whether to commit to the program’s goals by this spring. If enacted, it could be operational by 2022, according to the draft proposal.

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### **WSHU Public Radio**

<https://www.wshu.org/post/epa-declines-intervene-long-island-sand-mine-dispute#stream/0>

### **EPA Declines To Intervene In Long Island Sand Mine Dispute**

By J.D. Allen

March 12, 2020

The U.S. Environmental Protection Agency will not investigate a controversial sand mine in Noyac, Long Island, despite years of protest by nearby residents who say the mining operation has polluted their drinking water.

The EPA will leave the monitoring of the mine up to the state of New York. The state has allowed the mine to operate and expand an additional 40 feet deeper under close watch.

Suffolk County health officials say the groundwater beneath the mine is contaminated with pollutants.

Residents have sued to try to shut down the mine.

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### **InsiderNJ**

<https://www.insidernj.com/press-release/pascrell-announces-1-5m-keep-lead-school-drinking-water/>

### **Pascrell Announces \$1.5M to Keep Lead Out of School Drinking Water**

By March 12, 2020

U.S. Rep. Bill Pascrell, Jr. (D-NJ-09) announced today that the U.S. Environmental Protection Agency (EPA) has awarded \$1,537,000 in federal funding to assist New Jersey with identifying sources of lead in drinking water in schools or childcare facilities

“From Flint to Newark, we have witnessed firsthand the devastating effects lead can have on our drinking water and on our communities. It is critical we protect our water systems from this contamination, and that begins with our schools and childcare facilities,” said Rep. Pascrell. “These funds will help our state identify lead in school water systems and keep our students safe. Exposure at any level is unacceptable and I will continue working to secure funding like this that helps facilities conduct necessary testing.”

Rep. Pascrell has led congressional efforts to prevent lead contamination of water supplies nationwide. He has worked with the Passaic Valley Water Commission, which provides water to several school districts in northern New Jersey, to ensure they are doing all that they can to educate the public when lead levels become elevated. He has introduced legislation that would fund lead testing at schools and daycare centers nationwide, legislation to unlock billions in investment in drinking water infrastructure, as well as legislation to create a grant program dedicated to fixing combined sewer overflow systems which have polluted our waterways and are a burden for too many communities along our rivers. Pascrell has also supported robust funding for the Clean Water and Drinking Water State Revolving Funds since coming to Congress.

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## Newsday

<https://www.newsday.com/long-island/investigations/grumman-plume-suozzi-bethpage-1.42965718>

### **Suozzi seeks federal budget boost to help clean up Grumman plume**

By Paul LaRocco and David M. Schwartz

March 12, 2020 (updated)

Rep. Thomas Suozzi urged the House Appropriations Committee Thursday to significantly boost the federal budget for cleaning polluted former U.S. Navy sites, citing the Grumman groundwater contamination plume’s continued spread through Bethpage and beyond.

Appearing before the Appropriations defense subcommittee, Suozzi (D-Glen Cove) asked for a “monumental, but necessary” \$500 million increase in the Navy’s Environmental Restoration Fund, which President Donald Trump wants to cut from \$385 million this year to \$335 million in 2021.

The fund covers all sites with Navy ties that still require remediation, more than 1,800 nationwide. But Suozzi said the circumstances of the Grumman plume — for which the Navy shares responsibility as part owner of facilities that Grumman operated — stand out for its contamination of Long Island’s aquifer, the region’s only drinking water source.

“I’m asking you to really look at something that our community has struggled with for over 40 years,” said Suozzi, noting that his request also had the support of Rep. Peter King (R-Seaford). “It’s spreading rapidly, it’s decreased property values and it’s spread fear throughout our communities.”

Suozi cited and entered into the record Newsday’s recent investigative series “The Grumman Plume: Decades of Deceit.” Published last month, the stories detailed a history of deceptive statements, missteps and minimization — from both Grumman and regulators — that helped slow cleanup of the groundwater pollution that has become Long Island’s most intractable environmental crisis.

“This excellent reporting, in frustrating detail, outlines decades of finger-pointing, bureaucratic delays, high-priced lawyers, engineers and misdirection, which have resulted in a four-decade-old problem that is a long way from actual remediation,” Suozzi testified.

Today, the plume stands at 4.3 miles long, 2.1 miles wide and as much as 900 feet deep in the sole-source aquifer. It contains 24 contaminants — most notably the carcinogenic solvent trichloroethylene, or TCE — that have led to taxpayers having to fund the bulk of roughly \$80 million in public drinking water well treatment systems in Bethpage, South Farmingdale and parts of Seaford and Wantagh.

The New York State Department of Environmental Conservation, the agency overseeing the cleanup, long endorsed plans that failed to fully contain the plume. But it currently wants the Navy and Grumman’s successor, Northrop Grumman, to spend \$585 million on a comprehensive system of extraction wells and treatment plants that would finally stop its spread and, after 110 years, bring the groundwater back to drinking standards.

The polluters say they have spent more than \$300 million combined to address the pollution since the 1990s. This includes Northrop Grumman's operation of a containment system at the border of its old 600-acre grounds, and the Navy's operation of a system to remove contamination from one of the most concentrated spots beyond those grounds.

But they have both opposed the newest state plan, calling it technically infeasible, not cost-effective and too disruptive to the community.

“We appreciate Rep. Suozzi’s commitment to this issue,” said Tim Paynter, a Northrop Grumman spokesman. “For more than two decades we have and continue to invest in our environmental remediation efforts, and they are working, as the water districts continue to confirm the drinking water is safe.”

Suozzi also proposed that the Navy and Northrop Grumman cede their responsibility to undertake the cleanup themselves and simply pay the state and local water districts to handle it.

“Let’s just have them write a check to the local authorities so they can cut through the bureaucracy and get this site cleaned up,” said Suozzi, who previously was successful in getting the House to put back Navy restoration funds that went to the Grumman site.

Rep. Pete Visclosky (D-Ind.), the subcommittee chairman, said he couldn’t promise Suozzi that he’d meet his request to more than double that fund next year. But he said the House is considering increasing the White House’s request by at least \$49 million, essentially avoiding any cut from 2020 levels.

“It’s little consolation to you at this moment,” Visclosky acknowledged.

The subcommittee’s ranking Republican, Rep. Ken Calvert of California, said he appreciated Suozzi’s passion, but “unfortunately, we have hundreds of these sites ... we have them across the nation. And it’s going to cost us billions and billions of dollars.”

Suozzi replied by emphasizing that many of those other sites did not pollute the region's drinking water source.

"And it's a heavily populated area," he said. "It's not a remote facility. It's the middle of people's neighborhood."

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## **Newsday**

<https://www.newsday.com/long-island/nassau/hempstead-recycling-vendor-lawsuit-1.42951280>

### **Hempstead in legal battle with recycling vendor over contract**

By Jesse Coburn

March 12, 2020 (updated)

The Town of Hempstead is locked in litigation with its recycling vendor over the company's effort to back out of its contract following a shake-up in the global recycling market.

Hempstead sued the company, Westbury Paper Stock Corp., in October 2019, around two years after China, historically a massive consumer of recycled goods, placed restrictions on the recovered materials it would buy from abroad. The change torpedoed the price of recyclables such as paper and plastic, upending the municipal waste business on Long Island and across the country.

That development is at the root of why Westbury Paper Stock informed Hempstead in February 2019 it wanted out of its town contract nine months later, court filings show. The company has processed the town's recycling since 2006. But the Chinese policy shift cut into earnings, making the allegedly high rates of "contamination" in Hempstead's deliveries all the harder to bear, the company has argued in legal filings.

Recycling is contaminated when it includes materials that cannot be reprocessed, such as a garden hose thrown away with plastics, or are tainted, such as a pizza box covered in grease.

Westbury has typically shouldered the costs of throwing away the contaminated materials, court records show.

"In the current market, however, Westbury is forced to absorb all of the losses associated with processing and disposing of the town's deliveries," attorneys for the company wrote in a court filing last year. "The acceptance of such materials has put tremendous financial strain on Westbury."

Westbury argues that the town has not tried hard enough to mitigate the contamination, making the company's exit from the contract justified. It has asked for \$1.84 million in compensation from Hempstead for the sullied recycling it has had to toss.

The town countered that it's made "reasonable efforts" to reduce contamination, the level of which has remained within the bounds of the contract, and that Westbury did not work with Hempstead to fix the problem before seeking out of the deal.

"Should Westbury Paper be permitted to improperly terminate the agreement, the town will be irreparably harmed with no alternate for" the recycling it delivers to the company, Hempstead's legal complaint reads. According to Hempstead Sanitation Commissioner John Conroy, that amounted to 19,000 tons of glass, bottles and cans and 10,000 tons of paper and cardboard last year.

The town in January asked a state Supreme Court judge in Nassau County to rule in its favor before a trial, but the judge denied the motion. The town appealed the ruling last month, and the two sides have since been in settlement discussions, court records show.

John Peters, Westbury's general manager, referred questions to Anthony Core, the company's general counsel, who did not respond to a request for comment.

Jack Martins, Hempstead's outside counsel in the case, did not respond to requests for comment.

Hempstead is not the only town feeling the effects of the recycling market downturn. Several Suffolk County towns were forced to abandon a single-stream system — in which paper, plastics and metals are all disposed of together — in recent years after a company backed out of a 25-year deal to run Brookhaven's single-stream recycling plant.

"Communities, political institutions, towns are all having to rethink how are they going to handle their waste streams due to this crisis in the recycling market," said Larry Swanson, director of the Waste Reduction and Management Institute at Stony Brook University.

For now, Westbury has continued to process Hempstead's recycling, at rates locked in before the changes abroad. Westbury pays the town \$16 per ton of paper, while the town pays Westbury \$10 per ton of commingled materials, which includes bottles and cans, according to court records.

Those rates are more favorable to Hempstead than what other towns now pay. Oyster Bay, for example, pays Hempstead Sanitation District #1 \$70 per ton to process its paper, plastic and metal.

Conroy said he was not sure, however, whether Hempstead would have trouble finding good prices if it had to seek out a new recycling processor today.

“It’s such a volatile market,” he said. “That’s a big part of the problem.”

Westbury’s contract with the town runs through October 2021.

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## Newsday

<https://www.newsday.com/long-island/politics/lipa-anaerobic-digester-rng-1.42940644>

### **Food waste-to-energy plan changes course on power generation**

By Mark Harrington

March 12, 2020

Long Island’s first large-scale facility that would turn food waste into renewable natural gas to fuel a small power plant in Yaphank has changed course and will nix the electric-power portion of the project, a company official said this week.

American Organic Energy, a startup affiliate of Long Island Compost in Yaphank and Westbury, cited unspecified “Brookhaven landfill” issues and the economics of the electric portion of the project in explaining the change of direction.

Instead, said chief executive Charles Vigliotti, the company plans to pursue a new business model that will sell nearly all the plant’s gas to transportation-fuel markets in California, which has adopted incentives for producers through a state-run low-carbon fuel standard.

At the same time, Vigliotti is working to advance legislation that would establish such a standard in New York. Sen. Todd Kaminsky (D-Long Beach), who last year pushed through a law that requires grocers and restaurants to send their food waste to the digesters, now is backing legislation that would establish a low-carbon fuel standard as part of the state budget.

“We need to do all we can to reduce our reliance on fossil-fuel transportation,” Kaminsky said Tuesday. “The other places that have adopted [the standard] are seeing benefits.”

But the proposed standard for New York has a notable opponent in Assemb. Steve Englebright (D-Setauket), one of the State Legislature’s key environmentalists.

Englebright’s main issue with establishing a new standard, he said Wednesday, is that the digesters produce methane, one of the worst greenhouse gases. He’s also concerned that the standard would raise gasoline prices for typical Long Island customers, favoring instead incentives for customers to buy electric cars.

“There are very few things I can think of that are a worse idea” than incentivizing the production of more methane gas, Englebright said, adding it’s one reason anaerobic digesters were removed from the state Climate Leadership and Community Protection Act last year.

“A very substantial part of the methane problem is from an inability to safely manage the production and transport of methane,” he said. “A lot of the problem is from escaped gas. Producing more methane is locking us into a methane transport system that we know is helping to drive our climate problem.”

Englebright also said companies that stand to gain financially shouldn't be influencing state climate policy. "Objectivity really matters," he said.

American Organic Energy first proposed the anaerobic digester in Yaphank in 2013, then a \$50 million facility that would modernize his plant and turn up to 180,000 tons of food waste a year into renewable natural gas, compost and various levels of liquid fertilizer and wastewater. Last year, the company said the \$90 million plant was to break ground by August.

But Vigliotti said financial realities and issues relating to the nearby landfill complicated his original plan.

"The facility is quite expensive," he said. "It cannot exist without a robust source of income for the energy it produces." Selling renewable natural gas on the regular wholesale market through National Grid pipelines wasn't viable, he said.

In the end analysis, that robust source of income is the market for biofuels in California, which has a low-carbon fuel standard that incentivizes renewable gas while requiring that conventional fuel producers such as gasoline and diesel pay more for special credits, thus subsidizing the cleaner alternatives.

"We couldn't do both" electricity and renewable bio gas, Vigliotti said. "We had to make a choice for what is the most economically viable way to maximize post-digestion income. For right now, for vehicle fuel is the way to go." He added that "electricity is not off the table permanently, it's just not the best economics for us at this time."

Vigliotti has had state backing for his project.

Last year, the Long Island Power Authority approved a contract to buy energy from the Vigliotti's proposed generator, which was to produce 6 megawatts to power the digester plant and sell up to 4 megawatts back to the regional electric grid. Vigliotti's LIPA contract, which for now will not be enacted, was valued at \$83 million over 20 years.

Kaminsky's efforts to push a state low-carbon fuel standard has the backing and advocacy of the New York League of Conservation Voters, whose executive director said she has won backing in the State Senate. "It's my hope and it's very possible that this happens this year," said Julie Tighe, the league's president, of passage of a bill.

But the Environmental Advocates of New York, another advocacy group, opposes the bill. New York should not be encouraging fleet owners to transition from one combustible fuel to another when the overall goal is zero emissions," the group said.

Colin Murphy, deputy director of the Policy Institute for Energy, Environment and the Economy at UC Davis, said the standard has been successful in California, which implemented it in 2011: "In general it's an effective way to reduce emissions in the transportation space."

He noted it has had varying degrees of impact on gasoline prices in the state, which has among the highest gas prices in the country. In 2020, the impact is around 17 cents a gallon, he said.

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## **The Post-Star**

[https://poststar.com/blogs/michael\\_goot/blog-fort-edward-school-district-had-some-control-over-their/article\\_55613292-1140-56ca-b216-6e5f3d7a1858.html](https://poststar.com/blogs/michael_goot/blog-fort-edward-school-district-had-some-control-over-their/article_55613292-1140-56ca-b216-6e5f3d7a1858.html)

**BLOG: Fort Edward school district had some control over their financial situation**

By Michael Goot

March 12, 2020

The Fort Edward Union Free School District is in a tough financial situation — facing a \$1.3 million gap in its 2020-2021 budget.

However, the situation was not entirely outside of the district's control, but was the result of decisions undertaken by school officials over the last decade.

The district has been hit with some challenges including having to pay back to Washington County \$1.7 million in taxes that were not paid by WCC, the real estate company that owned the land where that contained General Electric dewatering plant.

What I do not understand is that Fort Edward village, town and school officials knew that the dewatering plant was a temporary operation. GE needed to remove the water from the sediment that the company was dredging from the Hudson River as part of its effort to clean up the PCBs.

During the time that the plant was in operation, both municipalities and the district were benefiting from the tax revenue generated by a nearly \$73 million total assessment on the two parcels that contained the plant.

The district was able to reduce its tax rate from about \$24 per \$1,000 of assessed value during the year before the plant came online to \$19 the first year afterward.

When the plant ceased operation in 2015, WCC defaulted on the taxes and also sued to reduce its assessment. A settlement was reached to decrease the assessed value of the parcels. They are now assessed at \$7.6 million.

The Fort Edward school district did not have to lower its tax rate as much as it did. It could have set aside some of this extra revenue in fund balance to prepare for when the dredging operation stopped.

The district could have made reductions in staffing or the bargaining units could have made concessions to ease the financial burden.

School officials tapped their fund balance to make up the gap between revenues and expenses — as many districts do. However, Fort Edward has drained its surplus and can no longer rely on that money.

As I have covered school districts, I have noticed that the problem with using fund balance — say \$300,000 to close budget gaps — is that you have automatically have built in a gap of that size in next year's budget. And since salary and benefit costs continue to rise every year, that \$300,000 gap grows.

The board on Monday voted to do a full merger study with either Hudson Falls and South Glens Falls. This would allow Fort Edward to get in-depth information about what pros and cons of being annexed by one of the large districts.

Hopefully, the district will be able to make some tough choices to get their finances back on track.

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## **ClimateWire**

<https://www.eenews.net/climatewire/2020/03/12/stories/1062581569>

### **Big grapple: New Yorkers compete for \$3B in resilience funds**

By Daniel Cusick

March 12, 2020

Upstate New Yorkers are eyeing their piece of a \$33 billion climate change response plan rolled out under Gov. Andrew Cuomo's 2021 executive budget proposal.

But will rural areas get their fair share?

Competition for state resources between New York City and what is broadly known as upstate New York has long been a source of tension in Albany.

Climate change may be no different, officials say, as much of the spotlight around the state's climate impacts is focused on New York City and Long Island, where more than 12 million people face immediate threat from sea-level rise and storm surges.

Currently, \$3 billion, or roughly 9% of the Cuomo administration's five-year spending plan on climate, is earmarked for resilience projects.

Much of the work would be funded under the Democratic governor's proposed "Restore Mother Nature Bond Act," which awaits legislative and then voter approval. Observers say environmental bond bills generally are supported by New Yorkers, but the proposal still needs to gain broad legislative support.

The bond program would focus on restoring fish and wildlife habitat and wetlands while expanding forest conservation, invasive species eradication, shellfish restoration and drinking water system upgrades, according to a state overview of the program.

Those priorities have little in common with the gray infrastructure sea walls and storm surge protection systems considered paramount in New York City and Long Island.

But Greater New York — including the Adirondacks, Finger Lakes and Mohawk Valley — is feeling climate impacts, as well, especially from growing weather variability and extreme events that are making life more difficult for rural people.

"We don't believe there's sufficient money right now to fund resiliency and adaptation across the whole state," said John Sheehan, communications director for the Adirondack Council, a privately funded organization dedicated to protecting the 6-million-acre Adirondack Park.

Since 2010, the Adirondacks have experienced an unprecedented string of extreme weather events, including the remnants of Hurricane Irene, which washed out roads and culverts, downed trees, and cut off power to small communities in the heavily forested region of north-central New York.

"We certainly see the impacts everywhere," said Kelley Tucker, executive director of the Ausable River Association, which promotes clean water and biological diversity in the scenic waterway, which runs 94 miles from the Adirondacks to Lake Champlain on the New York-Vermont border.

Besides infrastructure damage, Tucker said, warming water in the river and regional lakes is affecting habitat quality for fish and wildlife and creating unpredictable winter conditions affecting snowpack, whose gradual spring melt is part of the region's ecological DNA.

Organizations like the Adirondack Land Trust and the Nature Conservancy are emphasizing the value of ecosystem services to climate resilience while working with government officials to identify climate risks on vulnerable species and their habitats.

Snow conditions are also critical to the region's economy, as winter vacationers flock to ski resorts in the Lake Placid area.

Sheehan noted that a recent peak rain event in north-central New York raised Great Sacandaga Lake, a major flood control reservoir for the Hudson River Basin, by 8 feet in one day. "Albany would have been underwater had that capacity not been there to soak that water up," he said.

State officials launched a series of roundtable meetings with upstate and western New Yorkers to identify climate change impacts in their regions and begin searching for responses to rising risks. A meeting this week drew representatives of 30 interest groups. Most support the "Restore Mother Nature" bond proposal.

"We have reached a critical moment when it comes to staving off the worst potential of climate change," said Alicia Barton, president and chief executive officer of the New York State Energy Research and Development Authority, according to a report in the *Adirondack Daily Enterprise* newspaper.

"We believe what New York does really not only matters for the future of our state, but it will set an example for other states and other nations to follow, which is critically important when it comes to a global issue like climate change. That's really what we have ahead of us."

If approved, funding for the projects could begin by winter 2021, officials said.

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## **Greenwire**

<https://www.eenews.net/greenwire/2020/03/12/stories/1062585083>

### **FAA waives rules that led airlines to fly empty planes**

March 12, 2020

Federal regulators waived a rule yesterday that was causing airlines to fly nearly empty planes just to avoid losing takeoff and landing rights at major airports.

The Federal Aviation Administration said it would suspend the rule through May 31 to help airlines that are canceling flights because of the new coronavirus outbreak.

The FAA assigns takeoff and landing rights, or "slots," at a few big, congested airports. Airlines must use 80% of their highly coveted slots or risk forfeiting them.

The slot-use rule has led to the phenomenon of "ghost flights" — big planes flying around with eerily empty cabins. Environmental activists called on regulators to waive the rule to limit carbon emissions from planes carrying few passengers.

The FAA's decision affects flights at John F. Kennedy and LaGuardia airports in New York and Reagan Washington National Airport outside Washington.

The FAA said it also would not punish airlines that cancel flights through May 31 at four other airports where the agency approves schedules: Chicago's O'Hare International Airport, Newark Liberty International Airport in New Jersey, Los Angeles International Airport and San Francisco International Airport.

The FAA waiver covers U.S. and foreign airlines. The agency's announcement came a day after the European Commission promised to move quickly to waive its similar rule.

The president of United Airlines said it was crazy to enforce the slot-use rule in the middle of a virus outbreak that has devastated demand for air travel.

"Flying empty airplanes to protect slots? How ridiculous is that?" the official, Scott Kirby, said during an investor conference Tuesday. — *David Koenig, Associated Press*

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## Queens Chronicle

[https://www.qchron.com/editions/queenswide/bioswales-and-new-cul-de-sacs-placed/article\\_1adea49f-9d4b-55a3-affa-d067805fa478.html](https://www.qchron.com/editions/queenswide/bioswales-and-new-cul-de-sacs-placed/article_1adea49f-9d4b-55a3-affa-d067805fa478.html)

### Bioswales and new cul-de-sacs placed

By Jason D. Antos

March 12, 2020



The \$41.4 million infrastructure project in Ozone Park that is replacing water mains and sewers, and increasing the sustainability of city streets, has entered yet another new phase.

About the next two weeks will see the installation of the Cul-de-Sac and Green Street infrastructure, resulting in approximately two weeks' worth of lane closures. The city Department of Design and Construction has announced that lane closures will happen on 149th Avenue between Cross Bay Boulevard and 94th Street. The temporary lane closure will be in effect from 8 a.m. to 4 p.m.

The DDC reports that the work will in no way interfere with gas, electric, telephone or cable service. The agency also stated that while work operation can be noisy, it will monitor the construction to ensure the noise is within the Department of Environmental Protection Noise Code regulations.

The ongoing project, known as HWQ411B, is an ambitious one with more than 16,300 feet of new water mains to replace pipes that in some cases date back to 1903. An additional 16,000 feet of new, larger sewers will be installed, increasing the drainage capacity for the area and reducing the likelihood of street flooding during storms. Roadways and sidewalks are being rebuilt and will include 13 new Americans with Disabilities Act-compliant pedestrian ramps at area intersections.

The project area stretches from the corner of Linden Boulevard and Cross Bay Boulevard to the intersection of Cohancy Street and North Conduit Avenue, including Albert Road, 149th Avenue and Pitkin Avenue.

The plan has been on the drawing board since the Koch administration.

"After waiting since 1979, finally getting done in my lifetime," former Ozone Park Civic Association President Howard Kamph said in an email.

The project includes an NYC Greenstreets component, where 1,300 feet of paved traffic islands and medians will be converted into green spaces with trees and shrubs along Hawtree Street from Bristol Avenue to Cohancy Street. The Greenstreets medians will beautify the neighborhood and also serve to absorb stormwater and reduce the amount of polluted stormwater runoff reaching the city's natural bodies of water with the installation of bioswales. Two hundred new trees will be added to the neighborhood, and new catch basins and fire hydrants will also be installed.

“We’re very pleased to partner with DEP to bring better drainage, more beautiful streets, and a more reliable drinking supply to this part of Queens,” said DDC Commissioner Feniosky Peña-Mora in a release. “The new sewers in particular will strengthen the neighborhood, upholding Mayor De Blasio’s vision for a more resilient city, while reducing incidences of flooding.”

Any area residents who want to learn more about the bioswales project, which is being managed by the DDC for the DEP can [visitnyc.gov/ddc](https://www.visitnyc.gov/ddc) or may contact the Community Construction Liaison (CCL) Elizabeth Santamaria via email at [s.conduitccl@gmail.com](mailto:s.conduitccl@gmail.com).

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## **Syracuse.com**

<https://www.syracuse.com/news/2020/03/as-recycling-crisis-deepens-ocrra-asks-charge-for-recyclables-burn-them.html>

### **As recycling crisis deepens, OCRRA asks: Charge for recyclables? Burn them**

By Glenn Coin, Post-Standard

March 12, 2020



Syracuse, N.Y. -- With no signs of [the global recycling crisis](#) ending soon, the Onondaga County Resource Recovery Agency is considering drastic measures that could change the face of recycling in Central New York.

The agency, set to lose more than \$2 million on recycling this year, is considering for the first time charging haulers to bring in recyclables from homes or even burning some recyclables at the incinerator.

“We’ve never done that,” said Dereth Glance, executive director of the agency, which has handled all trash and recyclables in Onondaga County since 1990. “We’ve never seen markets sustain this level of neg values previously.”

The agency might also stop accepting glass bottles for recycling, because they have little value and are being sent to a landfill anyway.

Those were among the recommendations offered by an OCRRA ad-hoc recycling committee if the hemorrhaging of money from recyclables worsens. [After China essentially stopped taking](#) recycled paper from the U.S. recycling costs soared as recyclers tried to find new markets. In 2017, OCRRA earned \$125,000 from the sale of recyclables. This year, it will spend \$2 million or more.

At the same time, revenues from sale of electricity generated at the incinerator in Jamesville have plummeted as inexpensive natural gas, particularly from fracking, has flooded the energy market. In 2015, the agency grossed \$8 million on selling electricity. This year, that will be about \$3.5 million.

“We can’t just spend money we don’t have,” Glance said.

The agency’s main source of revenue is the fee haulers pay to bring trash to the incinerator, called the tipping fee. For 2019., OCRRA raised that fee by 7%, from \$89 to \$95 per ton but kept it steady for this year because the agency got a one-time grant payment that helped boost the coffers.

OCRRA votes on its budget in October, so it still has time to consider its options.

The agency charges commercial haulers for recyclables, but has never charged those bringing in recyclables from homes. Adding a direct fee for recycling would be a big shift in philosophy -- and economics.

“Other communities have that model, but our system never did,” Glance said. Instead, the agency made it free to haulers to bring residential recyclables to help haulers offset the expenses of extra trucks and personnel.

“That was the system 30 years ago,” she said. “The question is does it make sense to keep doing that the same way?”

Burning recyclables would also be a major shift in thinking for OCRRA. That would happen if the agency is losing at least \$35 a ton on mixed paper for at least three months, Glance said. Burning recyclables, or taking them to a landfill, would also required approval of the state Department of Environmental Conservation, which issues OCRRA’s permit.

The committee’s report also looks at longer-term solutions, such as persuading the state to add wine and liquor bottles to the bottle deposit law. Those bottles comprise about half of OCRRA’s recyclables, by weight, and they can’t be recycled because they’re broken and contaminated. Right now, most of that glass rgets ground up and taken to the High Acres landfill, near Rochester, where OCRRA sends ash from the incinerator. The glass is spread over the garbage, reducing the need for clean soil to cover the landfill.

“That glass put at the curbside is displacing soils, so it has a beneficial environmental use, but it’s not the highest value of use,” Glance said. “It could be recycled back into containers.”

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## **Newsday**

<https://www.newsday.com/long-island/suffolk/private-wells-nitrogen-public-system-water-quality-plan-drinking-water-1.42944004>

Shelter Island advisory panel sets 4 goals as part of long-term water quality plan

By Vera Chinese

March 12, 2020



Officials in Shelter Island Town, where nearly 90% of people get their water from private wells, have outlined a long-term water quality plan that suggests enlarging the public water system as one way to address those issues.

The town's water advisory committee presented its Ground and Surface Water Management plan during a March 3 town work session mapping out four long-term water goals, one of which is ensuring residents have access to drinking water that meets all government standards.

Shelter Island, which has approximately 2,500 year-round residents, faces unique drinking water problems due in part to nitrogen contamination, a shallow amount of freshwater and because treatment and testing are not mandated for private wells.

The other three goals are as follows: continuing to provide water from the Island's own groundwater; lowering the nitrogen load from wastewater effluent into the aquifer; and not impacting the water surrounding Shelter Island with human activity, such as groundwater outflow from septic systems.

"Think about this as a vision of where we would like to be as an island 15 to 20 years from now," said Councilman Mike Bebon, an engineer and member of the advisory committee.

The committee will seek community input and likely edit the report before incorporating it into the town's comprehensive plan.

The report looks at long-term objectives, like the possible buildout of an islandwide system in 11 years, but does not cite costs. Another suggestion would require the installation of a nitrogen-reducing septic system for all home sales.

Other goals, such as enforcing a Suffolk County law requiring retailers to display information on the risks of nitrogen-based fertilizers, could be undertaken immediately, Bebon said.

But in an interview, John Hallman, a former water advisory committee chairman, criticized the town's historical response to water quality and questioned how it could pay for public water infrastructure.

"Our feeling has always been the state has given the town the right to regulate drinking water on the Island and they have not done a very good job at it," said Hallman who owns a commercial water testing business. "I've always said to the town board for 40 years you don't need public water if you manage the water properly."

However, Bebon noted that a lack of commercial industry on Shelter Island means that the town likely doesn't have manufacturing-related pollution issues plaguing other communities.

"There are areas of Long Island that have worse problems than we do," he said.

The annual rainwater filtered through the ground, a process known as recharge, provides more than enough water to meet the town's drinking needs, Bebon said. But some areas, particularly those close to the coast, have less freshwater while others have nitrate contamination issues.

Bebon said town officials met with the Suffolk County Water Authority to begin discussing public water infrastructure, which could transport potable water to the affected areas and resolve that problem.

“By and large we feel that there is sufficient water, although it may not be in the right place,” Bebon said.

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## COVID-19 NEWS

### The New York Times

<https://www.nytimes.com/2020/03/13/nyregion/coronavirus-new-york-update.html?action=click&module=Spotlight&pgtype=Homepage>

### **N.Y.C. Wakes Up in a State of Emergency Over Coronavirus: Live Updates**

Broadway theaters are closed and subway ridership is down.

The mayor expressed frustration over rumors that the city would shut down in response to the virus.

March 13, 2020 (updated)

### **New York bans most gatherings of more than 500 people.**

Life for New Yorkers will change dramatically on Friday night, when restrictions that limit public gatherings go into effect in an extraordinary step to fight the growing outbreak of the coronavirus.

On Thursday, Gov. Andrew M. Cuomo of New York placed an indefinite ban on most gatherings of more than 500 people and commanded smaller spaces, like restaurants and bars, to slash their occupancy by half.

The restrictions took immediate effect in Broadway theaters on Thursday but will spread to a broader set of venues at 5 p.m., striking a blow to New York City’s typically bustling hospitality industry as it heads into the weekend.

Mr. Cuomo’s decision to limit gatherings of more than 500 people was an especially heavy blow to the live theater business, a crown jewel of New York City’s tourist trade. Last season, the industry drew 14.8 million patrons and grossed \$1.8 billion.

The restrictions were announced just hours after other cultural institutions including the Metropolitan Museum of Art, the Metropolitan Opera and Carnegie Hall said they would be suspending visits and performances.

Broadway theaters suspended performances through April 12, according to a statement from the Broadway League, a trade organization that represents producers and theater owners.

Under the guidance announced by Mr. Cuomo, gatherings of fewer than 500 people will still be allowed.

As of Thursday afternoon, there were 328 confirmed coronavirus cases in the state, with 148 in Westchester County and 95 in New York City, officials said.

### **N.Y.C. declares a state of emergency.**

Mayor Bill de Blasio declared a state of emergency on Thursday and said that the impact of the coronavirus on day-to-day life in the city “could easily” extend “for a half-year or more.”

Mr. de Blasio said that the city, which had 95 confirmed coronavirus cases as of Thursday, could have 1,000 next week.

“Going to this level is not done lightly, but it has reached the point where it is necessary,” he said after signing the order. He cited the potential for major job losses, large-scale evictions of renters, mass business closings and even food shortages.

Among the steps the mayor said the city could take under a state of emergency were closing public transit, ordering people off the streets and rationing supplies. Curfews could be imposed and streets could be closed to vehicles, he said.

The mayor, speaking in a somber tone, said that developments since Wednesday related to the virus’s spread were “striking and troubling,” and that the continuing fallout would open a “hole in our lives.”

#### **As fear grows, riders abandon the subway.**

Cyclists have flooded bike lanes and bridges to avoid taking the New York City subway. One man in his 50s has started walking two hours from Brooklyn to Manhattan for work each day to stay off the train. A recent college graduate who lives in Manhattan is considering moving in with her parents so she can use their car to drive to work in the Bronx.

As concerns over the coronavirus escalate across the region, many riders have abandoned crowded public transit to protect themselves. As of Thursday, the virus had infected nearly 330 people in the state.

“To be on public transportation, I just feel like it’s a risk that’s not really worth taking,” said Joe Misseri, 30, who started biking from the East Village to his office in Battery Park City this week.

#### **Others have decided to walk to work instead of using the subway.**

Gilbert Midonnet, a software developer, began walking two hours from his home in Cobble Hill, Brooklyn, to his office in Midtown Manhattan this week to avoid any possible exposure on the train.

“I like walking, and of course it’s been nice outside,” Mr. Midonnet said. “Of course, if it gets cold again I’m not sure how sustainable this lifestyle is, unless it’s a World War Z sort of thing where no one is going into the subway.”

The Metropolitan Transportation Authority, which oversees the subway, buses and two commuter railroads, said that ridership on Wednesday fell by nearly 20 percent on subways and 15 percent on buses compared with a similar day last year. The subway system typically handles about 5.5 million riders each weekday.

The police are investigating hate crimes they believe may be connected to the virus.

The New York City Police Department is investigating at least three suspected anti-Asian bias incidents that occurred in Manhattan this week, the police said. They believe the incidents are connected to the panic surrounding the coronavirus.

On Tuesday morning, a 23-year-old woman of Asian descent was pushed and slapped by another woman in Manhattan, the police said. The suspect, a woman in her 20s, made anti-Asian comments.

Later that day, on the Upper East Side, a young man approached a 59-year-old man of Asian descent from behind, kicked him to the ground, and yelled anti-Asian statements, officials said.

On Thursday night, a 47-year-old Asian man was walking to a bus stop in Forest Hills in Queens when a white man in his 40s approached him, shoved him, made anti-Asian comments and asked why the Asian man wasn’t wearing a mask.

None of the suspects have been apprehended by the police. The incidents are being investigated by the department’s Hate Crimes Task Force.

On Wednesday, Gov. Andrew M. Cuomo addressed the first incident, saying the attack was “apparently motivated by the bigoted notion that an Asian person is more likely to carry or transmit the novel coronavirus.”

He directed state authorities to investigate.

### **With some schools closing, parents scramble for options.**

As of Friday morning, most public schools in New York remained open, with a few notable exceptions.

But dozens of independent nursery, elementary, middle and high schools are now closed.

So some parents are turning to other options. On Wednesday, one such gathering was a two-hour nature class from [Tree Bath](#), which runs after-school sessions in Manhattan parks, organized especially for healthy children whose schools have been closed because of coronavirus.

It was a flash forward for the kinds of group gatherings that some New Yorkers are starting to turn to amid the coronavirus outbreak — even as assembling children amid the outbreak is becoming a topic of debate among parents.

Christine Lee, whose five-year-old daughter, Leah, participated in the Tree Bath class, said: “I don’t know when the last time will be that she can be outside. So we should enjoy it while it’s still relatively safe.”

But not all parents agree. A bitter divide has opened in online discussion groups about whether parents going about regular activities or seeking group-oriented replacements to closed schools are not taking the crisis seriously enough.

“If schools closed, it’s only because they are trying to save your kids’ lives and not let the virus spread,” said Tamu Gvalia Shengeliassi, who has pulled her 4-year-old from pre-K in Bensonhurst, Brooklyn because of virus fears.

Several parents noted that the private school closures, for the most part, did not pose the same degree of logistical challenge as closing public schools would, as the private schools do not serve hundreds of thousands of families who live at or below the poverty line, as New York City public schools do.

“I have flexibility, but that doesn’t mean it is easy,” said one parent of a Brooklyn private school student, who said that for now, she is juggling her child’s online learning schedule while working from home.

### **More city public schools are closed “in an abundance of caution.”**

Two public schools in Staten Island were closed after a student tested positive for the coronavirus, school officials said on Friday morning

Both New Dorp High School and The Richard H. Hungerford School, which serves grades 6-12, were shuttered “in an abundance of caution,” the education department said on Twitter.

Brooklyn College Academy, a public high school on Brooklyn College’s campus, was also closed on Friday, after a student at Brooklyn College tested positive for the virus.

The campus at Brooklyn College, part of the city’s university system, was closed, the school’s president, Michelle J. Anderson, said in a statement. The student was hospitalized and receiving medical care.

In-person classes were already canceled at the school as the city and state university systems prepared for a move to online classes beginning next Wednesday.

### **The New York Archdiocese will close schools for 19,000 students.**

The Archdiocese of New York said on Thursday that it would close all of its elementary schools next week.

The move affects over 19,000 students at 152 Catholic elementary schools in the archdiocese, which stretches from Staten Island north to Dutchess County.

The Diocese of Brooklyn, which covers Brooklyn and Queens, said that one of its schools would be closed on Friday so it could be disinfected after a suspected coronavirus case.

In New York City, Mayor Bill de Blasio and other officials have called widespread school closings a last resort, pointing out that hundreds of thousands of poor students rely on schools for meals and medical care.

However all New York City public school assemblies, plays, after-school sports and other activities have been canceled as a result of the spread of virus.

### **Rumors spread about a total city shutdown. They aren't true.**

On Thursday, the mayor professed frustration over rumors that a shutdown of public transit, or a full quarantine of Manhattan, was looming.

“If it’s not coming from my mouth,” he said, “don’t believe it.”

With anxiety rising in New York, such rumors have been circulating in hushed whispers, group chats and on social media. But officials have repeatedly insisted that the information was false. On Friday, Mr. de Blasio again reiterated that the information was simply not true.

“It’s important that we all do the best we can to limit the flow of inaccurate info,” said Freddi Goldstein, Mayor Bill de Blasio’s press secretary, on Twitter.

Mr. de Blasio has repeatedly said he does not want to totally shut down the city. That is especially true of the subway, which he views as the foundation of the local economy and a vital resource for working people.

Even with the state’s limiting large gatherings in hopes of slowing the spread of the virus, Gov. Andrew M. Cuomo made a point of saying public transit was an exception.

On Thursday, a spokeswoman for the governor echoed the mayor in regard to rumors about the city or its mass transit shutting down.

“To be clear, the state has the legal authority to overrule any locality’s decision to issue an order of mass quarantine or shut down,” the spokeswoman, Melissa DeRosa, said in a statement.

“No locality will be closing down. The mass transit system is not shutting down. These rumors, caused by undue anxiety, are just that — rumors.”

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## **The New York Times**

<https://www.nytimes.com/2020/03/12/nyregion/coronavirus-nyc-event-ban.html>

### **Ban on Large Gatherings in N.Y. as Coronavirus Cases Rise Sharply**

Broadway theaters will close Thursday night, and the rules will go into effect Friday evening for all other venues.

By Jesse McKinley and Michael Gold

March 13, 2020 (updated)

New York officials instituted a drastic set of measures to try to curb the spread of the coronavirus, placing an indefinite ban on most gatherings of more than 500 people, leading to the shuttering of Broadway shows and sharply impacting how New Yorkers work, eat and worship.

The restrictions announced by Gov. Andrew M. Cuomo on Thursday came as the number of infections in the state tripled since Sunday, with dozens of new cases in New York City, where millions of residents typically rub shoulders with millions of visitors drawn by its sparkling cultural scene.

But on Thursday, many of those famed institutions — including the Metropolitan Museum of Art, Carnegie Hall, and the Metropolitan Opera — announced closings, bowing to the reality of a global epidemic and the government’s frantic efforts to confront it.

Shortly after the governor spoke in the State Capitol, Mayor Bill de Blasio declared a state of emergency in the city, which has nearly 100 cases of the virus.

For weeks, the mayor has sought to allay fears over the outbreak, resisting calls to close schools or cancel large-scale events such as the St. Patrick’s Day Parade, and urging New Yorkers to continue to live their lives. But his tone shifted dramatically on Thursday; at one point, he suggested that there would be 1,000 positive cases by next week as testing increased.

“We are going to lose some of our fellow New Yorkers,” the mayor said. “That, unfortunately, is inevitable.”

The emergency order will empower the mayor to take expedited measures to control the outbreak; he could, for example, implement a curfew, limit traffic to emergency vehicles or suspend certain laws.

As he signed the emergency order, Mr. de Blasio apologized, saying he knew it would “have a serious impact on a number of businesses.”

“It’s not something we ever wanted to do,” the mayor said. “It’s something we have to do.”

Indeed, the actions of the governor and the mayor will profoundly alter life in New York. Restaurants and bars were commanded to slash their occupancy by half. Famed arenas like Madison Square Garden will go dark. Rock concerts and classical concertos will be canceled.

Nowhere was the impact expected to be more jarring than Broadway, a billion-dollar industry at the heart of New York’s tourist trade, which said it would be closed at least until April 12, though Mr. Cuomo offered no assurances that he would lift his edict by then.

“Let the science and let the data make the decisions,” said Mr. Cuomo, a third-term Democrat.

Mr. de Blasio, a Democrat, echoed that, saying that the restrictions on crowds and businesses could last six months.

“It is going to be a long painful episode,” he said.

Under the new “density reduction guidelines,” events with more than 500 people would be commanded to cancel or postpone. Spaces with occupancies of less than 500 would be required to cut those attendance levels by 50 percent. Schools, mass transit, hospitals, shops, and public buildings are exempt, though Mr. Cuomo said the State Capitol could be closed to visitors.

The coronavirus is particularly deadly for older people, and Mr. Cuomo also said “only medically necessary visits” would be allowed at nursing homes, a policy that would isolate residents from loved ones, something he admitted sounded draconian. But, he said, “If you care about someone in a nursing home, the last thing you want is to endanger that person.”

Both the governor and the mayor seemed resistant to closing schools, with Mr. Cuomo citing the resilience of most children to the virus. Mr. de Blasio said closing schools creates other problems, as schools provide many children with free or reduced cost meals. The mayor also announced a moratorium on evictions in public housing complexes.

Across the Hudson, New Jersey officials were also urging and encouraging the reduction of crowds, with Gov. Philip D. Murphy recommending that all public gatherings of more than 250 people be canceled across the state.

The mayor of Jersey City, Steven Fulop, announced that the city had set a curfew of 10 p.m. on nightclubs and bars. In Newark, Mayor Ras Baraka advised that all “nonessential public gatherings” of more than 50 people should be canceled for the next 30 days.

Both states’ actions came amid a cascade of cancellations: Late Wednesday night, the city’s annual St. Patrick’s Day Parade, which typically draws two million people, was postponed after days of discussion between officials and organizers.

Professional baseball, soccer and hockey leagues suspended or postponed their seasons, following the lead of the N.B.A. College sports conferences canceled season-ending basketball tournaments, including the Big East tourney, which was abruptly canceled in the middle of a game on Thursday between St. John’s and Creighton at Madison Square Garden. March Madness will not happen.

The state and city’s action also came on the heels of President Trump’s decision to suspend travel from Europe for a month for foreign nationals, a move that could have a crippling effect on many of the city’s hotels, restaurants and tourist-reliant businesses.

On Thursday, some of those were calculating the potential loss of business.

“We certainly understand the action he’s trying to take,” Melissa Fleischut, the president and chief executive officer of the New York State Restaurant Association, said of the governor’s actions. “But we don’t know how our restaurants are supposed to manage through this crisis.”

She added that other types of businesses might be able to adapt to the coronavirus by allowing people to work from home, but that wasn’t an option in restaurants. “We’re not a telecommuting business,” Ms. Fleischut said.

The restrictions are among the most far-reaching imposed in the United States in response to the coronavirus outbreak. In the 10 days since New York announced its first confirmed case of the virus, more than 325 people in the state have tested positive, with the highest concentration in a cluster in Westchester County. On Thursday, officials in Albany reported their first cases, as did those in Western New York.

As efforts in the city have ramped up, Mr. Cuomo also has tried to limit the spread of the virus in Westchester, creating a “containment area” in New Rochelle, closing schools, houses of worship and other large gathering spaces within one mile of a synagogue believed to be the center of the outbreak there. On Thursday, the National Guard was delivering food and sanitizing buildings in the area, even as 27 more cases were reported.

In Albany, the governor also seemed worried about the ability of the state’s hospitals to handle a likely surge of patients, saying that his staff was investigating using state-owned buildings as temporary medical centers. He added that he did not want to repeat the experience of Italy, which has seen more than 1,000 deaths, and whose hospital system has been frayed by the crisis.

“You overwhelm the health care system,” the governor said. “That’s where you get into trouble.”

Mr. Cuomo added that he may request that hospitals cancel elective surgeries, which take up about a quarter of hospital beds.

For his part, Mr. de Blasio said the city was prepared to turn cafeterias and other spaces into impromptu medical wards if necessary, saying “the only analogy is war.”

“We don’t want to any of this lightly,” Mr. de Blasio said. “This is difficult stuff.”

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## **How can I be tested for coronavirus? N.J.'s ability is growing, but still limited**

By Michael Sol Warren

March 13, 2020 (updated)

The rising numbers only show what's been tested for.

As of Thursday morning, state officials said New Jersey has 29 presumed positive cases of the coronavirus, officially called COVID-19. Of those, one person has died.

That number is expected to rise. There are currently 37 potential cases that will be tested by the state's Public Health and Environmental Laboratories, according to the officials.

But the state lab only has the resources to test 400 people, New Jersey Department of Health Commissioner Judith Persichilli said at a Wednesday press conference.

The state is in the process of acquiring more tests, DOH Assistant Commissioner Chris Neuwirth previously said, but for now, the limited resources means that there are strict criteria for who gets tested by the state.

Private companies like [LabCorp](#) and [Quest Diagnostics](#) have begun handling tests as well, taking some pressure off the the state lab. And on Thursday, Hackensack Meridian Health announced [new rapid-response coronavirus tests](#) that the healthcare network will use.

Nationally, the U.S. has struggled to match testing levels seen in other countries. There have been 11,079 specimens tested for the coronavirus nationwide by either federal labs or local public health labs, [according to the U.S. Centers for Disease Control and Prevention](#). But an individual patient typically submits at least two specimens for testing, so the number of actual people tested for the virus is likely much lower.

[According to the BBC](#), South Korea has tested more than 200,000 people and continues to test about 20,000 people each day, while the United Kingdom has tested nearly 30,000 people and tests about 1,000 people each day.

Dr. Anthony Fauci, the director of the National Institute of Allergy and Infectious Diseases, told a House of Representatives committee on Wednesday that that the U.S. needs to bolster testing in order to better understand who has the virus, [according to NPR](#).

When asked Thursday about the number of tests done in New Jersey so far, Persichilli downplayed the issue and said that the importance of widespread testing was the subject of debate at national and international levels.

"Testing positive does nothing to impact the clinical treatment of the patient," Persichilli said. She noted that because there is no cure for the coronavirus itself, patients could only be treated for symptoms.

### **Can I get tested for the coronavirus?**

Because of the limited amount of tests available at New Jersey's state lab, patients must meet certain criteria in order to be tested. That criteria include showing symptoms of lower respiratory illness, having contact with someone who is known to have the corona virus and travel to an area with a Level 2 travel health warning from the CDC within the last 14 days. As of Thursday, those countries were China, Iran, South Korea, Italy and Japan.

If a patient meets the criteria, the healthcare provider will notify the patient's local health department, which will then notify the DOH. Both of those authorities need to review the case before giving approval for the patient to be tested for the coronavirus.

If a patient does not meet the criteria but is still sick, healthcare providers are advised by the DOH to test for more common illnesses and urge the patient to stay home from school or work.

Hackensack Meridian is also being selective about who is tested by the network's new resources. In a statement Thursday, officials for the health network stressed that strict protocols will be followed in determining which patients are eligible for COVID-19 testing, and urged patients to first consult with their doctor.

The private companies appear to be following similar guidelines. According to LabCorp's website, patients must meet the same criteria to have specimens tested by their facilities.

Alexandra Altman, a spokesperson for Gov. Phil Murphy's office, previously told NJ Advance Media that LabCorp is not required to get approval from the DOH and local health departments before conducting a COVID-19 test, and that LabCorp can test whatever is sent to them by individual healthcare providers.

### **How many people can be tested each day?**

Even with the limited number of tests, Neuwirth said Thursday that New Jersey's state lab can test about 40 to 60 people each day.

"It's enough right now, today, based on the volume that we're seeing," Neuwirth said.

Hackensack Meridian's rapid response tests allow the network to test 24 people every eight hours, according to a statement released Thursday.

It is unclear what the testing capabilities of private labs like LabCorp and Quest Diagnostics are.

### **How long do tests take?**

Until Thursday, all tests in New Jersey took one to two days to process before giving results. That timetable remains the same for tests done by the state lab.

But Hackensack Meridian's newly announced rapid response tests, which the network began using on Thursday, process results in just hours. Initially, these new tests will be available at hospitals in the Hackensack Meridian network.

What's the relationship between the state and private testing companies?

New Jersey officials have had trouble communicating and coordinating with the private testing companies, according to a NJ Spotlight report.

Persichilli touched on that communication trouble at Thursday afternoon's press conference, when she noted that it is unclear how many New Jerseyans are being tested by private labs.

"We do not know how many specimens are at the commercial labs," Persichilli said.

Private lab testing presents another challenge to the state: It can slow down the process of investigating how a person may have contracted the coronavirus, and how they may have spread it. One of the newly reported cases — a 16-year-old girl from Englewood — is an example. Persichilli said the girl had her specimens tested by LabCorp, and that the state still had few details about her case.

"When the specimens go to the commercial lab, there's a real lag time before we get information on that case," Persichilli said.

### **What about the CDC confirmation tests?**

The final piece in the testing puzzle is in Atlanta, where New Jersey sends positive COVID-19 results from its state lab to the U.S. Centers for Disease Control and Prevention to be tested again for confirmation.

But so far, the CDC has not returned results for any tests submitted by New Jersey, Neuwirth said at Wednesday's press conference. He added that the CDC has still not given an explanation for the delay.

Until that confirmation testing is done and reported by the CDC, New Jersey's COVID-19 cases remain "presumed positive."

The CDC did not respond to questions from NJ Advance Media.

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## **NJ.com**

<https://www.nj.com/coronavirus/2020/03/nj-coronavirus-update-29-cases-in-state-bans-on-public-gatherings-widespread-closures-and-cancellations-schools-what-you-need-to-know-03132020.html>

### **N.J. coronavirus update: 29 cases in state, bans on public gatherings, widespread closures and cancellations, schools. What you need to know. (03/13/2020)**

By Anthony G. Attrino

March 13, 2020 (updated)

The [coronavirus pandemic](#) halted more events across the nation on Friday, moving the state to recommend against large gatherings of 250 people or more, while schools closed, sporting events and religious services were canceled and the number of people infected with COVID-19 in New Jersey rose to 29 with one death.

The state reported its first [coronavirus death](#) on Tuesday when [a 69-year-old man from Little Ferry in Bergen County died from the fast-spreading virus](#), officials said. Bergen County continues to have the most cases with 13, though the virus has now spread to 11 counties, prompting some to question whether New Jersey has already passed the point of containing coronavirus.

Long lines were rampant at major stores as people stocked up on essentials and prepared for a possible 14-day quarantine, if necessary. Jersey City called for a curfew that limits the hours of bars and restaurants, while 20 students are self-quarantining after possibly being exposed to the novel coronavirus at their internship in Downtown Jersey City.

The economy continued to tumble on Thursday, with Wall Street experiencing its worst day since October 19, 1987, also known as "Black Monday."

## **National news**

Across the United States, the [number of coronavirus cases](#) rose Friday to 1,700 with 40 deaths attributed to COVID-19 — the disease caused by the new coronavirus. Cases have now been reported in 43 states, plus the District of Columbia, according to data from the CDC and state health agencies.

Several states, including New Jersey and New York, have told people to avoid large gatherings. Airline and hotel industries on Thursday said they would continue to waive cancellation fees for customers who want to rebook. JetBlue said it [banned a passenger who flew from New York to Florida](#) while awaiting the results of a coronavirus test and notified the crew only after landing that the tests came back positive, according to CNN.

Meanwhile, the White House said Thursday [President Trump and Vice President Pence would not be tested for novel coronavirus](#), even though a senior Brazilian official who mingled with them at Mar-a-Labo has tested positive, according to the New York Times.

## **Coronavirus cases as of Friday, March 13:**

LOCATION	CASES	DEATHS
New Jersey	29	1
New York State	325	0
New York City	95	0
Pennsylvania	22	0
Philadelphia	1	0
United States	1,700	40
Worldwide	135,000	4,977

The NBA, NHL and MLB have all put their seasons on hold, suspending play as a result of the spreading coronavirus pandemic. The NCAA canceled all winter and spring tournaments including March Madness.

While the MLB halted its spring training schedule and postponed opening day, college basketball canceled the Big 10 conference basketball tournament — just minutes before Rutgers and Michigan were scheduled to start their game in an arena that had no fans because of virus fears.

Earlier this week, the NBA suspended its season after Utah Jazz forward Rudy Gobert tested positive for the coronavirus, forcing both the Jazz and Oklahoma City Thunder to be quarantined.

### **Events canceled**

New Jersey, New York, California, Washington and Ohio were among the states to recommend against large gatherings. In New Jersey, the cap was placed at 250 while New York has banned gatherings of more than 500. The move led to a shutdown of Broadway shows, concerts and most sports events.

Earlier this week, local New Jersey officials began canceling most of its St. Patrick's Day parades to avoid spread of the disease at large gatherings.

In declaring a public health emergency, Gov. Phil Murphy recommends the cancellation of all public gatherings of more than 250 people in New Jersey.

“That’s everything from youth leagues to sports leagues, to concerts, and everything in between,” Murphy said in a video he posted to Twitter. “We still don’t need to panic, but we’ve got to be smart.”

New York Gov. Andrew Cuomo, meanwhile, issued a ban on gatherings of more than 500 people. The move shut down major museums, the New York Public Library, Carnegie Hall and anywhere else the public gathers.

### **Colleges and schools**

In Bergen County, all 75 school districts will close and use online learning in an effort to stave off the growing coronavirus pandemic, officials said Thursday. Private and religious schools in the county have also been asked

to close. The 75 districts have 170,000 students, 16,000 teachers and hundreds of administrators and support staff, Tedesco said. Closures will begin 3 p.m. Friday and last until further notice.

Dozens of other districts have also shortened days or closes for cleaning and preparation to move to online classes. [Here's the latest list of school closures.](#)

College dorms and lecture halls across the state have been shutting down during the past few days to help halt the spread of the coronavirus. Some colleges have extended their spring break, and many have implemented plans to start home instruction through online lectures.

Here's the latest list of [New Jersey colleges with coronavirus contingency plans.](#)

### **Financial markets**

Wall Street had one of its worst days in history, as fears grew over how the coronavirus outbreak will hurt the economy. The Dow Jones Industrial Average dropped by 10%, the S&P 500 fell 9% and the Nasdaq also dropped 9%.

"It was the worst point drop ever for the Dow, and its worst performance since the market crash in 1987," NBC News reported.

### **New Jersey cases**

New Jersey now has 29 confirmed or presumed coronavirus cases, spread out across 11 of the state's 21 counties. Six new cases were announced Thursday. Here's the breakdown:

- Bergen County: 13 cases (including two new ones announced Thursday in Englewood and Teaneck)
- Monmouth County: 5 cases (including one new one announced Thursday in Manalapan)
- Burlington County: 2 cases
- Middlesex County: 2 cases
- Camden County: 1 case
- Essex County: 1 case (a new one reported Thursday in Montclair)
- Hudson County: 1 case
- Morris County: 1 case (a new one reported Thursday in Butler)
- Passaic County: 1 case
- Somerset County: 1 case (a new one reported Thursday in Bridgewater)
- Union County: 1 case

In addition to those cases, there are another 37 people being monitored for coronavirus symptoms and awaiting testing to determine whether they have the virus, state officials said Thursday.

Also, [20 seniors at Ferris High School in Jersey City are self-quarantining](#) after possibly being exposed to the novel coronavirus at their internship in the city, Superintendent Franklin Walker said. Walker said the students are interning at Pershing LLC, a subsidiary of the Bank of New York Mellon, where an employee has tested presumptive positive for COVID-19.

Though Jersey City has no reported cases, Mayor Steve Fulop has [imposed a 10 p.m. curfew on any business with a liquor license, including bars and restaurants, until at least next week.](#)

### **Pennsylvania and New York cases**

In New York state, there are 325 cases of COVID-19, according to the CDC and state health officials. Here is a breakdown of the New York cases by county:

- Westchester - 148
- Nassau - 41
- Suffolk - 20
- Rockland - 7
- Saratoga - 3
- Ulster - 4
- Orange - 1
- Albany - 1
- Monroe - 1
- Dutchess - 1
- Delaware - 1
- Herkimer - 1
- Broome - 1

In addition, New York City has reported 95 cases of COVID-19.

In Pennsylvania, there are 22 cases of COVID-19, according to the CDC and state health officials. The cases are in the following counties:

- Bucks - 2
- Delaware - 1
- Monroe - 2
- Montgomery - 13
- Northampton - 1
- Philadelphia - 1
- Pike - 1
- Wayne - 1

### **Worldwide coronavirus cases**

Across the globe, the coronavirus has infected more than 132,500 people in 118 countries and killed nearly 5,000, according to the [World Health Organization](#).

China has the most cases, at more than 80,000 infected and 3,169 deaths, while Italy has more than 15,000 infected and more than 1,000 deaths, [according to CNN](#).

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[https://www.washingtonpost.com/national/coronavirus-containment-zone-new-york/2020/03/12/b4712a06-6486-11ea-b3fc-7841686c5c57\\_story.html](https://www.washingtonpost.com/national/coronavirus-containment-zone-new-york/2020/03/12/b4712a06-6486-11ea-b3fc-7841686c5c57_story.html)

**Inside the New York coronavirus 'containment zone,' some residents act like little is amiss**

By Tim Craig

March 12, 2020

If the pandemic is anywhere, it is here, within a one-mile "containment zone" in a New York City suburb that authorities hope will thwart the coronavirus from spreading any more than it has.

Despite dire warnings and authorities imploring people to stay home and not congregate, at the North End Fitness & Training Company, located in the middle of the zone here, personal trainer Cesar Arellano has been showing up to work every day to train his clients. At a gym. Where people come to sweat together in the same room.

"We want to keep the community comfortable, we don't want to create a mass panic, and we want to give people the optics that life goes on," said Arellano, 36. "I don't have any worries, as long we maintain a clean environment."

Some residents here in New Rochelle are openly defying government suggestions to limit their socializing, highlighting the challenge communities nationwide could encounter if they ever have to establish similar restrictions. As schools close, sporting events are canceled and the shows in nearby Manhattan will not go on, some people here in the containment zone are still willing to get out and get together, regardless of the risk.

New Rochelle emerged as an epicenter of New York's coronavirus crisis 10 days ago after a local synagogue was linked to several of the state's first cases. There are now more than 140 cases in Westchester County.

New York Gov. Andrew M. Cuomo (D) announced the one-mile containment zone around Young Israel of New Rochelle, located in the affluent north side of town, on Tuesday. He urged residents to consider remaining indoors but did not order businesses to close nor did he restrict traffic in and out.

On Thursday, Cuomo took even more dramatic action, banning gatherings of 500 or more people everywhere in New York state while slashing in half the occupancy limits for smaller gatherings. Business that do not adhere will be shut down.

"This is going to get much worse before it gets better," Cuomo said, adding that he cannot predict how long the occupancy restrictions will last. Cuomo has warned that people should expect "major shifts" in the way U.S. society functions.

"Yes. If somebody gets a little bit out of control, if an area gets too hot," Trump told reporters. "You see what they're doing in New Rochelle, which is — which is good."

Though shops and restaurants here in New Rochelle have seen a sharp drop in business, happy hours continue at bars inside the containment zone. There is still the morning and midday rush at Starbucks. Neighbors still gather at local dog park and argue about politics.

A few dozen National Guard troops arrived in New Rochelle on Thursday morning to hand out boxed lunches to seniors and children whose schools have been closed. But much of the city remained open, suggesting that even here many residents were not prepared to spend extended periods of time away from others.

"They closed the schools to clean the schools, but now you have all of these students running around together out here on the streets that could be contaminated," said Patricia Cherry, 55.

Cherry, who lives on the edge of the containment zone, drove to a local strip mall inside of it because she needed to deliver a package. She brought her 81-year-old father, Walter Hubbard, ignoring advice from health experts that the elderly are especially vulnerable to coronavirus.

Hubbard said he considers the containment zone to be impractical because he views the coronavirus as not that much different from a host of other illnesses.

“I got a better doctor up there, anyway,” Hubbard said, pointing his finger toward the sky. “They tell you to stay indoors but what about the stuff you can catch indoors?”

David Finestein, 76, drives everyday from Brooklyn to New Rochelle so he can pick up kosher meals for homeless children.

“I’m doing a good thing, and you got to live a little,” said Finestein, adding that he is dedicated to his work because he was an orphan as a child. “My health has nothing to do with it. . . . If you saw a hungry child in the street, would you let them go by?”

But plenty of other New Rochelle residents continue to venture out for far more menial matters.

Chris Paccione, 63, stopped by for a drink at a bar after he took his dog to the dog park. Paccione suffers from a variety of severe illnesses, including battling Stage 4 cancer.

“I’m doing all of that common-sense stuff they are talking about, like washing your hands, but you got to live,” Paccione said. He noted that he believes he is immune from coronavirus because he’s already on antibiotics — something health experts dispute. “I think that helps me not get it.”

For many people here, however, their faith in hand sanitizer and frequent hand-washing is what is keeping them so confident that they can avoid the virus. Some also question whether the media is hyping the matter.

“I know it’s contagious, but why do we need people to tell you to wash your hands and sanitize — that is just normal,” Victoria Roldan, 62, said after she stopped at Starbucks for her morning coffee. “I think people are losing their faith in God. . . . I am not saying you should not take care of yourself, but I really believe we are making it a bigger deal than it is.”

Residents here note the town has been through other major crises before, including the Sept 11, 2001, terrorist attacks and Hurricane Sandy.

Despite their attempt to operate with a sense of normalcy this time, some residents admit their biggest worry is not knowing when the danger will end.

“From what we hear, this is just the beginning, and that is what concerns us,” said Arellano, as several school-age children were taking part in a group fitness class. “Every day it just seems it’s getting worse and not getting better, and unfortunately we are in the middle of it.”

But Arellano can’t imagine the day will ever come when he won’t show up for work.

“We want to show we are strong and calm,” Arellano said. “And if the community thinks we are not strong, we worry they will panic.”

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**The Wall Street Journal**

<https://www.wsj.com/articles/how-to-keep-your-home-free-of-coronavirus-germs-11583867479>

**How to Keep Your Home Free of Coronavirus Germs**

Tips include cleaning with EPA-approved disinfectants and running dishwashers on sanitize cycle if possible

By Beth DeCarbo

March 12, 2020

For many people, staying safe from the new coronavirus means staying home. But infectious germs can live in your house, too.

To minimize the risk of getting sick, the Centers for Disease Control and Prevention recommend taking action to disinfect high-touch surfaces, such as countertops, doorknobs, cellphones and toilet flush handles, since some pathogens can live on surfaces for several hours.

However, many people don't disinfect properly, says Brian Sansoni, head of communications for the American Cleaning Institute, a Washington trade group that represents product manufacturers. First, you might need to clean—removing grease or grime—before you disinfect. Second, the disinfectant needs to remain on the surface, often for several minutes, before it dries or is wiped off. “Check the label for wait times to make sure the virus kill is effective,” Mr. Sansoni says.

In recent days, bleach and other cleaning products have been in short supply. Mr. Sansoni says manufacturers have cranked up production to keep up with demand. That said, he cautions against overusing chemical cleaners and, worse, mixing cleaners in hopes of boosting their effectiveness.

“There is no need to panic-clean,” he says. Just read the labels on everyday products to clean and disinfect the right way. “They’ll do what they’re supposed to do.”

Here are some other tips for staying safe at home:

- The CDC recommends washing hands vigorously with soap and water for at least 20 seconds. As a backup, use hand sanitizers that are at least 60% alcohol.
- The Environmental Protection Agency recently released [a list of approved disinfectants](#) to kill coronavirus. For surface cleaning, look for products such as wipes, sprays and concentrates that say “disinfectant” on the label and include an EPA registration number. These are required to meet government specifications for safety and effectiveness.
- For a homemade disinfectant, the CDC recommends mixing a quarter-cup of household chlorine bleach with one gallon of cool water.
- After disinfecting food-prep surfaces such as cutting boards and countertops, rinse them with water before use.
- For laundry, use detergent and bleach (for white loads) or peroxide or color-safe bleach (for colors) to kill germs. (Be sure to read clothing labels to avoid damaging garments.) To boost the effect, some washing machines have sanitize or steam settings that kill germs. Drying laundry on the dryer’s hot cycle for 45 minutes also is effective.
- If possible, operate dishwashers on the sanitizing cycle. Machines certified by NSF International, formerly known as the National Sanitation Foundation, must reach a final rinse temperature of 150 degrees and achieve a minimum 99.999% reduction of bacteria when operated on that cycle.
- Household air purifiers and filters that advertise the ability to kill or capture viruses can be useful but shouldn’t be a substitute for cleaning. Some purifiers use ultraviolet light, which has been shown to have germicidal effects, but their overall effectiveness can vary depending on their design, according to a 2018 technical summary of residential air cleaners by the EPA. While some filters advertise the ability to capture things like viruses, smoke and common allergens, they don’t necessarily kill microorganisms.

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NATIONAL

E&E News

## EPA won't tighten asphalt emission standards

<https://www.eenews.net/eenewspm/2020/03/11/stories/1062578389>

By Sean Reilly- 3/11/20

EPA has decided against setting stricter hazardous pollutant standards for asphalt roofing processors and manufacturers.

Instead, the agency will hold to the limits set in 2003, according to a [final rule](#) scheduled for publication in tomorrow's Federal Register. The agency was legally required to review the standards' adequacy.

The review covers eight plants in the U.S. that cumulatively emit 255 tons per year of formaldehyde, hydrochloric acid and other hazardous pollutants, according to the agency's estimate in a draft rule published last May ([Greenwire](#), May 1, 2019). The draft review had found ways to almost fully eliminate releases of formaldehyde from asphalt storage tanks, but EPA officials decided the cost wasn't worth the expected benefit.

In the final rule, the agency also decided not to set an emissions limit for hydrochloric acid from one feature of plant operations known as a "blowing still" on the grounds that "it was not appropriate to establish new standards for previously unregulated sources or pollutants" under that aspect of the review.

EPA's preliminary conclusions were endorsed by leaders of two industry organizations, the Asphalt Institute and the Asphalt Roofing Manufacturers Association, who wrote in comments last year that the basis for the findings would be "even stronger" if EPA changed some specific risk, cost and feasibility factors.

But an Earthjustice attorney, writing on behalf of the Sierra Club, said that all of EPA's risk numbers were likely to be "significant underestimates" and that it was unlawful for the agency to do nothing to reduce emissions or the accompanying health risks.

Officially known as "residual risk and technology reviews," the evaluations are required under the Clean Air Act for dozens of industrial sources that spew hazardous pollutants within eight years after the original standards are set.

Under the act, EPA is supposed to examine the possibility of any remaining risks to public health and whether advances in pollution control technology make further emissions reductions feasible.

In the proposed rule, agency employees found that the risks were acceptable and that stricter standards weren't needed "to provide an ample margin of safety to protect public health and prevent an adverse environmental effect."

Because EPA has been chronically late in meeting the eight-year timetable, many of the reviews are being conducted under court-supervised schedules after environmental groups sued to force action.

The appraisal of the standards for asphalt roofing plants is one of 20 that must be finished by Friday, under a deadline set three years ago by U.S. District Judge Tanya Chutkan of the District of Columbia ([Greenwire](#), March 15, 2017).

EPA has been using the reviews to systematically scrap regulatory exemptions for excess emissions resulting from plant startups, shutdowns and malfunctions in keeping with a 2008 court decision.

The final rule also tweaks monitoring requirements for particulate matter controls and requires electronic reporting of test results. It applies to plants that make asphalt roofing shingles and related products and qualify as major sources of toxic emissions.

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**DTN**

## **Ag Chemicals: What to Watch For in 2020**

<https://www.dtnpf.com/agriculture/web/ag/crops/article/2020/03/11/ag-chemicals-watch-2020-3>

By Emily Unglesbee- 3/11/20

ALEXANDRIA, Va. (DTN) -- Undeterred by the new coronavirus, state, tribal and federal pesticide regulators and chemical company representatives gathered in Virginia this week for the annual meeting of the Association of American Pesticide Control Officials (AAPCO).

Amid hand sanitizer tables and "No Handshaking Zone" signs, attendees hashed out the status of some of agriculture's most high-profile chemicals -- glyphosate, dicamba, chlorpyrifos, paraquat, pyrethroids, atrazine and neonicotinoids.

Here's a summary of expected developments for each chemical in 2020.

### **DICAMBA: EXPECT MORE VOLATILITY**

Four dicamba herbicides designed for over-the-top use in Xtend crop systems -- XtendiMax, Engenia, FeXapan and Tavium -- face label expirations in December 2020. EPA is hoping to make a decision on the re-registration of these labels "well before" that date, in time to allow producers to make timely seed decisions for 2021, said Alexandra Dunn, assistant administrator of EPA's Office of Chemical Safety and Pollution Prevention.

The agency is busy evaluating the results of field studies conducted by some of the dicamba registrants in 2019, added Rick Keigwin, director of the EPA's Office of Pesticide Programs. The studies are an attempt to understand how well the agency's 2018 label changes to dicamba herbicides worked, as well as evaluate off-site movement of the chemical, the effect of temperature and tank mix pH on volatility, and the ecological effects of dicamba injury on non-target plants such as trees, shrubs and other woody perennial species, he said. The field studies were conducted in Illinois, Missouri and Mississippi and submitted to the agency in January 2020.

While it remains unknown what future labels of these dicamba herbicides might look like, academic research over the past three years is establishing key risks of the current formulations, including tank mixing glyphosate and spraying in the summer months, noted University of Tennessee weed scientist Tom Mueller.

Three years of field studies in Tennessee have shown that adding glyphosate to dicamba in the tank consistently drops the mixture's pH level under 5 and increases volatility -- essentially reversing the lower volatility achieved by new formulations, Mueller noted.

"What I'm finding is that, when applied with Roundup, the new dicamba formulations are not that different from the DGA-salt formulations [Clarity]," he said. "That's what my data says."

His team tested a variety of other tank mix ingredients, including drift retardants, other herbicides and even insecticides but found no other effects on pH and volatility.

"What we're finding is you can add almost anything to the tank and not drop the pH below 5 -- except glyphosate," he told DTN. "Our recommendations to our Tennessee growers is not to add glyphosate to dicamba in the tank."

Mueller also presented research to AAPCO showing that dicamba volatility increased at higher temperatures. In his humidome trials, volatility steadily increased as temperatures rose above 68 degrees.

He has also found that volatility increases in the presence of more green plant material in the field -- such as weeds. A lot of field studies on dicamba's behavior in the field involve applications on bare soil, he noted. But most dicamba applications are occurring when weeds and crops are actively growing in the field. He found that when dicamba was applied to fields with living green material, dicamba emissions over the next 36 hours were significantly higher than after applications on bare, tilled ground or ground covered with dead plant residue.

Ultimately, no label changes will be able to completely eliminate volatility in the current formulations, Mueller concluded.

"You cannot stop volatility -- dicamba is an inherently volatile molecule," Mueller said. "But you can reduce it by spraying at lower temperatures, not adding Roundup to the tank, and spraying earlier in the season, which means lower temperatures and less plant material."

In the meantime, Mueller urged AAPCO attendees not to be too encouraged by fewer reports of off-target dicamba injury to soybeans in some states. He noted that growing Xtend soybean acreage means more crop fields are protected, and many farmers have become too discouraged to bother reporting continued injury.

"The real issue is that chemical trespass is still occurring," he said. "Just because I'm not getting soybean response because it is sitting next to another dicamba-tolerant soybean field, chemical trespass is still occurring, and that's not acceptable."

## **EPA DEFENDS CHLORPYRIFOS, BUT SOME STATES DISAGREE**

Corteva Agriscience announced its intention to stop producing chlorpyrifos this winter. As the biggest producer of the insecticide, primarily under the brand name Lorsban, the company's decision will take a bite out of the availability of chlorpyrifos starting in 2021.

However, EPA has told DTN it expects its continued re-registration of the chemical will keep it on the market in generic forms indefinitely. (See more here: [https://www.dtnpf.com/...](https://www.dtnpf.com/))

The agency is expediting its registration review of chlorpyrifos and expects to release a proposed interim decision for public comment by October 2020, Keigwin told AAPCO attendees.

Representatives from agrichemical companies expressed concern during the meeting about the proliferation of state laws that restrict pesticides that EPA has stated are safe, such as recent steps in California, Hawaii and New York to phase out or ban chlorpyrifos.

"I think we need to be cognizant of the message we send to the public, when we have EPA make a finding and California make a very different finding," said Cindy Smith, agriculture relations director for Gowan USA, an agrichemical company based in Arizona. "We need to be cognizant about what that message sends to the public about what is safe and what's not safe."

"If I have to go to 50 states and face 50 different regulatory schemes, it's going to be really hard to convince people to invest money in alternatives to chlorpyrifos or anything else," Smith added. "It's critical to companies that develop and try to keep these products on the market for growers to have a predictable process that is transparent and understandable."

## **PARAQUAT: NEW LABELS, NEW TRAINING**

EPA has released two waves of new label requirements for paraquat, the last in December 2019. Companies are now required to use the most recent "Phase 3" labels on all newly printed paraquat labels and make the switch to the newly required "closed system" products, said Marianne Mannix, an environmental protection specialist with EPA. The agency is giving companies until Dec. 30, 2020, to stop selling non-closed-system paraquat products but is allowing distributors and farmers to continue to use old, non-compliant products they may have until supplies are exhausted.

One of the new label requirements is that only certified applicators who have taken mandated paraquat training can mix, load, apply, clean spray equipment and dispose of paraquat. While this requirement technically only applies to newly labeled products, registrants such as Syngenta are encouraging applicators to get certified and acquire the training no matter what paraquat product they are using, said Patsy Laird, stewardship manager for Syngenta.

Training is available online here (<https://www.epa.gov/...>), and 15,000 people have already passed it, Laird said. Syngenta has also developed a face-to-face training option and is working to make it available to states, she added.

Work on Spanish versions of the online training and face-to-face training is also underway, she added.

"But keep in mind that, in addition to the paraquat training, the users have to be certified applicators -- some states have applicator training in Spanish, but not every state does," Laird said.

## **GLYPHOSATE: MORE ASSESSMENTS TO COME**

In late January 2020, EPA released its interim registration decision for glyphosate, which included some label changes and reiterated that EPA believes the herbicide is safe for humans and the environment when used according to the label. See the DTN story here: <https://www.dtnpf.com/...>

Now, EPA has to evaluate the effect of glyphosate on endangered species, and those assessments will be found in the draft biological evaluations EPA is planning on releasing for public comment in August, Keigwin said. Final endangered species determinations are anticipated in 2021, according to EPA's website.

See more here: <https://www.epa.gov/...>

## **TRIAZINES (INCLUDING ATRAZINE)**

EPA released proposed interim decisions for the triazine herbicides -- atrazine, propazine and simazine -- in December 2019. Public comment on the atrazine decision closed on March 2. EPA expects a final interim registration review decision later this year, Keigwin said.

See more here: <https://www.epa.gov/...>

## **NEONICOTINOIDS**

In January, EPA released proposed interim decisions on five neonicotinoid insecticides, including three commonly used in row crops: clothianidin, imidacloprid and thiamethoxam. The agency is accepting public comment through April 3.

See more here: <https://www.dtnpf.com/...>

## **PYRETHROIDS**

In 2018, EPA released some revised risk assessments for pyrethroid insecticides, as part of their registration review. In November 2019, the agency released proposed interim decisions for five pyrethroids and a risk mitigation proposal for 23 pyrethroids and pyrethrins, with proposed new label language.

Public comment on those releases ended in January 2020. EPA expects to release proposed interim decisions on the rest of the pyrethroids this year, with final interim decisions for all pyrethroids slated by the end of 2020.

See more here: <https://www.epa.gov/...>

See more details on AAPCO here: <https://aapco.org/...>

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## **Bloomberg**

### **Incoming EPA Chief of Staff Already Irking Senate Democrats (1)**

<https://news.bloombergenvironment.com/environment-and-energy/incoming-epa-chief-of-staff-already-irking-senate-democrats>

By Stephen Lee- 3/11/20

Democratic lawmakers signaled on Wednesday that their already-fractious relationship with the EPA could grow even more tense with the hiring of Mandy Gunasekara, the former high-ranking agency official who played a key role in pulling the U.S. out of the Paris climate agreement.

Gunasekara doesn't need the Senate's approval for her new job as the agency's incoming chief of staff, which starts March 16. She replaces Ryan Jackson, who left to become the National Mining Association's senior vice president of government affairs.

At a hearing before the Senate Environment and Public Works Committee, Sen. Sheldon Whitehouse (D-R.I.) accused Gunasekara of establishing and working for "dark money-funded, climate denial" organizations, such as the Texas Public Policy Foundation, the CO2 Coalition, and her own Energy 45 non-profit group, since she first left the Trump EPA in 2019.

Whitehouse also said the EPA won't be able to know if Gunasekara is following conflict-of-interest rules because the agency can't know who was funding the groups for which she worked.

Gunasekara told Bloomberg Law she is "diligently working with our EPA ethics experts to ensure compliance with all applicable guidelines and laws."

Once the recusal statement is complete, "I will be happy to share it with the senator and sit down to discuss," she said.

Douglas Benevento, who was undergoing a confirmation hearing to become the EPA's deputy administrator, told Carper that the agency requires all employees to consult with career ethics officials and receive guidance on what they can work on.

But Whitehouse said the EPA's ethics rules don't ask about donations from undisclosed parties, because they "predate the explosion of dark money that has corrupted our politics."

### **Free-Market Champion**

Gunasekara has positioned herself as a free-market champion who seeks to balance environmental protection with economic growth.

Her core messages, both while at the EPA and after leaving the agency, have been that the Trump administration has done a good job of striking that balance, cutting air and water emissions while simultaneously creating new jobs and boosting domestic energy production. She has also said that Democrats' plans to address climate change are too expensive.

During the same Wednesday hearing, Sen. Tom Carper (D-Del.), the panel's ranking Democrat, said he was offended by Gunasekara's tweets "proclaim that she believes that the so-called 'loony left' wants to 'implement a Soviet-styled takeover of our energy and our economy' and that 'Democrat actions are corroding democracy.'"

Carper said comments “conflating climate action with communism aren’t just intellectually dishonest. They are reprehensible.” He also said that, as a Vietnam War veteran, he had direct experience in opposing the expansion of communism.

Gunasekara thanked Carper for his military service and said she hoped that “we can find common ground in working against the socialist-aligned policies that some of his Democrat colleagues are unfortunately embracing.”

Republican staff on the committee didn’t respond to an interview request about Gunasekara’s hiring.

As chief of staff, Gunasekara will become one of EPA Administrator Andrew Wheeler’s most senior advisers. The job involves managing the agency’s day-to-day operations, coordinating strategic initiatives, and serving as the principal liaison to the White House.

(Updates with comments from Mandy Gunasekara.)

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## Law 360

### Trump's Pick For No. 2 At EPA Quizzed On Climate, Fuels

<https://www.law360.com/articles/1251535>

By Keith Goldberg: 3/11/20

Law360 (March 11, 2020, 3:36 PM EDT) -- President Donald Trump's pick to serve in the U.S. Environmental Protection Agency's second-most-powerful position — a former Greenberg Traurig LLP attorney currently working at the agency — assured lawmakers Wednesday that he'll stay focused on their concerns, from climate change to biofuel issues.

During a nomination hearing for Douglas H. Benevento, who currently works as the associate deputy administrator at the agency, lawmakers from both sides of the aisle on the Senate Environment and Public Works Committee praised him as "qualified" for the role.

If confirmed, Benevento would serve as EPA deputy administrator, the position current Administrator Andrew Wheeler left when he was confirmed to the top position. While Wheeler faced searing questioning and skepticism during his nomination hearing to the EPA’s top spot, Benevento largely avoided any clashes with lawmakers.

The toughest questions came from Sen. Sheldon Whitehouse, D-R.I., who grilled Benevento on matters that he'll face in his new role, particularly climate change and ethics issues. Several committee members on opposing sides of the fossil fuel and biofuel industries aired out their grievances with the EPA's Renewable Fuel Standard program, which is a source of friction, but Benevento said simply that he’ll work on a solution that’s best for everyone.

During Whitehouse’s questioning, he displayed to Benevento a thick booklet he said was a compilation of reports on economic crashes related to climate change impacts, including reports from the Bank of England, the

Bank of France and the Bank for International Settlements, among others.

The senator asked Benevento to assign a staffer to read the compilation and prepare a report for Benevento, and then for Benevento to alert him when he had reviewed the report. Benevento agreed to do so.

Whitehouse then moved on to an EPA Office of Inspector General investigation he requested into former EPA Office of Air and Radiation chief Bill Wehrum's alleged work for and meetings with former clients from his time at Hunton Andrews Kurth LLP. Whitehouse has alleged that those meetings resulted in policy changes that benefit Hunton-repped companies and industry groups.

"Because the allegedly corrupt work is still on the books at EPA, and because it affects policy, that IG investigation is still ongoing," Whitehouse said. "Will you assure us that as the No. 2 at EPA, you'll make sure that EPA cooperates with the inspector general investigation?"

Benevento responded that the agency will cooperate with the inspector general's investigation.

Whitehouse then addressed reports that Wheeler is bringing on Mandy Gunasekara as chief of staff to replace Ryan Jackson, who recently left the post for a position at the National Mining Association. Whitehouse said Gunasekara was involved with several anonymously funded, or "dark money," groups that he said pushed the "climate denial" point of view. Because the groups' donors aren't known, Whitehouse asked Benevento how it would be possible to confirm that Gunasekara is complying with applicable ethics rules.

"Our expectation is that all employees consult with career ethics counsel and receive guidance from them on what they can be involved in and what they can't," Benevento said.

But Whitehouse kept pushing, saying that the EPA hasn't updated its ethics guidelines since the "explosion" of the use of anonymously funded political groups and calling the ethics vetting process at the agency a "fixed game" because staff don't even ask about dark money funders.

The EPA said Wednesday that "all appointees work closely with our career ethics officials and work diligently to ensure they follow all ethics guidelines and laws."

Others senators from both parties used their time to press Benevento on their personal priorities, in particular the EPA's Renewable Fuel Standard program, which is a source of friction between the fossil fuel and biofuel industries and lawmakers who represent those interests in Congress.

Sen. Jim Inhofe, R-Okla., for example, said he hopes the EPA appeals a recent Tenth Circuit ruling that voided three exemptions for small refiners that allowed them to dodge the RFS fuel-blending requirements. And he asked Benevento if he'd commit to making sure that, regardless of what happens with the appeal, he'll work to get small refiners some "relief" from RFS requirements.

"I'm happy to work with you and other members of the committee and Congress, along with the administrator, to ensure that whatever direction is ultimately determined moving forward is equitable to everybody," Benevento said.

When Sens. Joni Ernst, R-Iowa, and Tammy Duckworth, R-Ill., got turns at the microphone, they pulled Benevento in the exact opposite direction, saying biofuel producers are being harmed by the small refinery exemptions.

"We need to not do the appeal," Ernst said. "We have had ethanol producers that have shut down. Not the threat of small refineries that might shut down someday — we've had ethanol plants shut down."

Sen. Shelley Moore Capito, R-W.V., asked Benevento to push the EPA to move faster on setting a maximum contaminant level for per- and polyfluoroalkyl substances, also known as PFASs or forever chemicals, because of their longevity in the environment and human bodies.

Benevento said he understood the urgency and would work to help the agency's process along.

Last month, the EPA said it has preliminarily determined that setting a National Primary Drinking Water Regulation is appropriate for two PFASs, perfluorooctanoic acid, or PFOA, and perfluorooctanesulfonic acid, or PFOS.

Before his role as associate deputy administrator, Benevento served as administrator for EPA Region 8, which is headquartered in Denver, and in Washington, D.C., as senior counselor for Regional Management and State Affairs.

Also at Wednesday's hearing, the committee heard from David A. Wright and Christopher T. Hanson, who were nominated to serve on the Nuclear Regulatory Commission. The senators seemed largely supportive of their nominations.

--Additional reporting by Keith Goldberg. Editing by Gemma Horowitz.

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## **Agri-Pulse**

### **Biofuel supporters warn of political fallout from SRE appeal**

<https://www.agri-pulse.com/articles/13294-biofuel-supporters-warn-of-political-fallout-from-sre-appeal>

By Spencer Chase and Steve Davies- 3/11/20

Farmers and senators alike say President Donald Trump has little to gain and a lot to lose if he appeals the recent 10th Circuit opinion that has been widely praised by the ag and biofuels industry.

The ruling struck down three small refinery exemptions (SREs) from the Renewable Fuel Standard and has the potential to impact dozens more if applied nationally, and interested parties are stepping up their rhetoric to try and stop a planned appeal of the case by the Trump administration.

"Farmers feel like they're being supported by the president, but the president has an opportunity here to prove that support," Iowa farmer Dave Walton told reporters Wednesday. He specifically mentioned the support many in rural America have offered the Trump administration as it sought to negotiate trade deals with partners who sometimes issued retaliatory tariffs against U.S. ag products during those talks.

"To have the White House thinking of an appeal to the court ruling on SREs is kind of a kick in the teeth to the farmers that have been patient for the last two years," Walton said. "I think farmers are watching, they know the issues pretty well, and if this comes down to farmers versus oil companies, farmers are going to remember that in November."

Walton's comments came on a call with reporters where several other farmers and ethanol producers sounded off on the issue and encouraged Trump not to follow through on plans to appeal the ruling. They said the language in the ruling and the unanimous decision from the three-judge panel will be hard to overturn.

“The likelihood of them actually getting a win in this case or overturning the ruling is slim to none, so all it does is delay, and continued delays continue to hurt ... the certainty in the marketplace,” National Corn Growers Association President Kevin Ross said on the call. “It’s causing a problem and, I think, confidence to wane a little bit in farm country.”

On Monday, the administration was granted an extension of a filing deadline, giving it until March 24 to request an appeal.

Ag Secretary Sonny Perdue addressed the ruling at the Commodity Classic in February, saying he expected the case to lead to a significant drop in waivers granted to small refineries. At the time, the administration was reportedly leaning toward applying the verdict nationwide, a decision that is said to have been changed after intervention from Sen. Ted Cruz, R-Texas, among others.

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The situation also was a sticking point during a nomination hearing Wednesday that included consideration of Doug Benevento to be the Environmental Protection Agency’s deputy administrator.

“These illegal SRE’s caused over 4 billion gallons of demand destruction for ethanol and biodiesel, and it shut down numerous plants across the heartland, depressing commodity values at an already uncertain time for my farmers and my producers,” Sen. Joni Ernst, R-Iowa, said.

She pressed Benevento for an EPA commitment not to issue any exemptions while the Trump administration decides whether to ask the 10th Circuit to rehear the case. Ernst said 23 waiver requests are pending

The nominee, however, said it would be better if he got back to Ernst “with a response on how we’re going to be managing the program.”

Benevento tried to steer clear of engaging on the issue of the 10th Circuit ruling that the administration is considering appealing.

When questioned by Ernst about the reach of the decision, Benevento said, “It is a 10th Circuit decision and it is binding,” but when asked after the hearing whether the ruling was effective only in the 10<sup>th</sup> Circuit or nationwide, he referred *Agri-Pulse* to EPA’s Office of General Counsel and the Justice Department.

When Sen. Tammy Duckworth, D-Ill., brought up the same issue, Benevento said he has “not been involved in this decision-making process” or in “day-to-day conversations.”

“I can’t shed any light on this,” he told Duckworth.

The waivers had their supporters at the hearing, including Sen. James Inhofe, R-Okla., a staunch defender of the oil industry, and Sen. Shelley Moore Capito, R-W.V. Benevento told Inhofe that EPA is working to ensure that “whatever direction we move forward, it’s equitable to everybody.” He pledged to Capito he would look into why a refinery in West Virginia has not received a waiver.

For more news, go to [www.Agri-Pulse.com](http://www.Agri-Pulse.com).

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## **The Christian Science Monitor**

### **Is transparency always a good thing? EPA weighs controversial new rule.**

<https://www.csmonitor.com/Environment/2020/0312/Is-transparency-always-a-good-thing-EPA-weighs-controversial-new-rule>

If a revised rule proposed last week is finalized, the Environmental Protection Agency could soon change how it uses science.

“Transparency” lies at the heart of the controversial proposal. Initially suggested in 2018, the revised version of “[Strengthening Transparency in Regulatory Science](#)” would mean that, when drafting environmental and public health regulations, the EPA would give preference to research studies for which the underlying datasets and models are publicly available. In the previous draft, all aspects of a scientific study had to be publicly available for research to even be considered. A 30-day public comment period opened March 3, and EPA administrators aim to have the rule finalized by May.

Since its conception, the proposed rule has drawn sharp criticism. While supporters assert that it would be a safeguard to ensure trustworthy research, opponents see it as a Trump administration attack on science that co-opts the positive connotations of “transparency” for political aims.

Sharing raw data makes sense “in the abstract,” says Wendy Wagner, a professor in the University of Texas School of Law, who studies use of science by environmental policymakers. But, she says, there are “a lot of steps between that kind of idyllic in the abstract and mandating it as a prerequisite to considering the scientific information.”

Indeed, transparency does hold scientific value. At the same time, with policy around hot-button issues from coronavirus to climate change being guided by scientific research, it’s vital that both policymakers and the public trust the findings. Transparency might play a role in earning that trust.

### **A matter of trust**

Public trust in science is indeed higher than some headlines might lead you to believe. According to a Pew Research Center [survey](#) conducted in 2019, 86% of Americans surveyed said they had confidence in scientists to act in the public interest – a number greater than that for most other institutions, and on a par with the military.

Transparency does seem to play a role, as the Pew survey also revealed that 57% of surveyed Americans said that open public access to data and independent committee reviews of research would boost their confidence and sense of trust.

That’s not to say that they are actually interested in parsing through that data. Rather, says Cary Funk, director of science and society research at Pew Research Center, it’s likely an underlying assumption that “when you’re open and transparent, you don’t have anything to hide.”

As an abstract concept, transparency gets at one of the main tenets of science: open communication among researchers in a way that allows them essentially to check each other’s work. But the specifics – especially when sharing datasets with the public – get a bit thornier.

For one thing, not all raw data can be released to the public easily. Some data is trade-secret protected. There’s also an issue of data from study participants, often medical data, that might have too much personally identifiable information and thus requires privacy.

That is an especially challenging aspect for many of the public health studies underpinning landmark EPA regulations, such as air quality standards. Critics were quick to point this out during the initial comment period for the “transparency” rule in 2018, and the revision allows such studies to be included, although weighted with less consideration than those for which the data is freely available.

### **Starting a “conversation”**

Transparency also doesn’t just have to mean dumping it all out there for anyone to parse through, says the University of Texas’ Professor Wagner. In some ways, it might be less helpful for nonscientists to be able to interpret that data.

“You do need to know what you’re doing with your data,” says Dominique Brossard, who co-directs the Science, Media and the Public research group at the University of Wisconsin-Madison. “You need to be trained. You need to be able to actually understand statistics.”

“Because at the end of the day,” she says, “you can make the data tell a lot of things, you know, in a way that it can be massaged to reach a certain conclusion.”

Furthermore, Professor Wagner says, with some of this data, especially with big data and models, you need computer science expertise, resources, and time.

“It becomes even more of a pay-to-play system as a result of that approach to transparency,” she says. “And, when you have all those advantages, you also can do a lot of mischief with datasets.”

So instead, both Professor Wagner and Professor Brossard suggest a different approach to transparency: a conversation. Rather than saying, here’s the data for you to explore on your own, they suggest that more trust will come from explaining the process of the research to the public and stakeholders in a clear, honest way. Walking through the research process, the peer-review process, and explaining how independent reviewers were selected, as well as the problems and uncertainties in the results, may build more trust and confidence.

“In the study of science, one of the big concerns is trust in expertise. And I don’t think the way you get the trust is to throw downloadable models and datasets at people,” Professor Wagner says. “Trust is a process.”

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## **E&E News**

### **Agency brass won't release a photo of Pruitt's phone booth**

<https://www.eenews.net/greenwire/2020/03/12/stories/1062585549>

By Timothy Cama- 3/12/20

EPA officials won't reveal a photograph of the highly controversial "privacy booth" former Administrator Scott Pruitt had installed in his office in the agency's headquarters, saying doing so could violate someone's privacy or put someone's life at risk.

The agency yesterday denied a pair of similar requests E&E News reporters filed more than two years ago under the Freedom of Information Act. The requests sought photographs or videos depicting the soundproof booth, which had a \$43,000 price tag and was one of the main scandals that spurred Pruitt's resignation in 2018.

In rejecting the requests, Elizabeth White, director of the office of the executive secretariat at EPA, wrote that the agency found one page of records, but "they contain personal information which would and/or could be an unwarranted invasion of personal privacy if released and/or which could reasonably be expected to endanger the life or physical safety of an individual."

She cited exemptions to FOIA that protect documents "compiled for law enforcement purposes" if they could invade personal privacy or threaten someone's life or safety. White, who was the treasurer of Pruitt's political action committee before he hired her at EPA, did not specify whose privacy, life or safety is at risk.

Asked for further comment, EPA spokeswoman Molly Block said, "As with all Freedom of Information Act (FOIA) requests submitted to the agency, EPA applies exemptions to responsive records consistent with the statute." She did not answer questions about whose privacy, life or safety is at risk, or how EPA justifies classifying the file concerning the booth as a law enforcement document, but reminded E&E News of its right to appeal the decision to other officials at EPA.

The existence of the soundproof booth was first revealed in a September 2017 report in *The Washington Post*, based on a contract with an installer for \$24,570. Later reporting found the full installation process cost closer to \$43,000.

Pruitt defended the purchase, saying it was necessary to make secure phone calls, particularly with the White House.

"It's necessary for me to be able to do my job," he told House lawmakers in April 2018, though he didn't know at the time how much the costs were ballooning. But, the booth didn't meet the full federal criteria for a sensitive compartmented information facility, the kind of infrastructure necessary for classified communications, and EPA has a separate facility elsewhere in its building that meets those standards (*E&E Daily*, April 27, 2018).

The Government Accountability Office determined that the booth violated the law because it exceeded legal limits on costs for furnishing Pruitt's office. EPA disagreed with the finding and has refused to give GAO a report it requested on how the expenditures were made (*Greenwire*, Sept. 24, 2019).

Documents obtained by the Sierra Club later found Pruitt used it only once for a call to the White House.

Pruitt resigned in July 2018 under pressure from various scandals, including the booth, his spending on security measures and travel, and allegations that he misused staff for personal matters.

After Pruitt's resignation, his successor, Andrew Wheeler, didn't remove the booth.

"It would be expensive to tear it apart; I don't see any sense in tearing it apart," Wheeler told E&E News shortly after taking the agency's reins. "And in this day and age, I don't know what the assessment was for the need of it" (*E&E News PM*, July 13, 2018).

*Reporter Kevin Bogardus contributed.*

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## **E&E News**

### **Work policies eased for Research Triangle Park, Boston**

<https://www.eenews.net/greenwire/2020/03/12/stories/1062585895>

By Corbin Hiar- 3/12/20

EPA has made it easier for employees to work from home or take time off at its massive Research Triangle Park complex and its Boston office in an effort to slow the spread of a deadly respiratory illness, the agency confirmed today.

"We have taken action in regions where local health authorities have implemented local health advisories and encouraged utilizing maximum use of telework by allowing unscheduled leave and telework in the following offices: Raleigh, Durham (RTP offices), Manhattan, San Francisco, Boston and Seattle," spokeswoman Corry Schiermeyer said in a statement.

The Seattle and San Francisco offices were the first to be affected by COVID-19, the disease caused by a novel coronavirus discovered late last year in Wuhan, China. The New York City office was the next to be hit. Over 1,500 EPA employees, or about 11% of staff, work in those three offices, according to figures the agency provided to E&E News (*Greenwire*, March 10).

The most recent wave of telework and leave changes affect nearly 1,800 employees, 1,250 of whom work at the 1.2-million-square-foot North Carolina campus. The largest facility ever built by the agency, Research Triangle Park houses 15 EPA offices, including a major center for air pollution research and regulation.

Research Triangle Park is also home to the National Institute of Environmental Health Sciences, which today announced it has postponed a research symposium planned there for early April. The agency has also determined that its "employees may telework with approval from their supervisors," according to spokeswoman Christine Bruske Flowers.

The World Health Organization yesterday announced that COVID-19 had reached "pandemic" proportions. Experts believe the disease is spread via respiratory droplets produced when an infected person sneezes or coughs. People are most at risk when they are in close contact with a coronavirus carrier in a home, office or other confined space.

The WHO's latest statistics show that the disease has so far infected 118,322 people in 113 countries or territories and killed 4,292.

In the U.S., 1,215 people in 42 states and the District of Columbia have contracted the disease and 36 have died, according to the Centers for Disease Control and Prevention.

While the District of Columbia yesterday declared a state of emergency, EPA says it hasn't loosened telework restrictions for its main office.

"EPA headquarters is operating on normal work schedules," Schiermeyer said.

Last year, the agency unilaterally cut the amount of regular telework its employees could do from two days per week to one. The telework provisions remain a sore spot in ongoing contract negotiations between the agency and its unions (Greenwire, Jan. 7).

Tony Reardon, the president of the National Treasury Employees Union, today called for the Trump administration to proactively expand agencies' telework policies. NTEU represents 150,000 employees in 33 federal departments and agencies, including EPA.

"It's the smart and responsible thing to do," he said on a call with reporters. "Telework in many cases is the best answer, and too many agencies are still being far too stingy with it."

The American Federation of Government Employees, EPA's largest union, yesterday urged congressional Democrats to scrutinize the Trump administration's federal workforce protections amid the new coronavirus pandemic (E&E News PM, March 11).

*Reporter Kelsey Brugger contributed.*

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## **Inside EPA**

### **Federal Agencies Scramble To Protect Workforce From Coronavirus Threat**

<https://insideepa.com/daily-news/federal-agencies-scramble-protect-workforce-coronavirus-threat>

By Anthony Lacey

Federal agencies are scrambling to protect the U.S. workforce from the coronavirus threat, with EPA announcing that its staff should be prepared to soon start teleworking to reduce exposure risks and OSHA detailing a range of voluntary steps companies can take to reduce employees' risks depending on their potential exposure.

But some Democrats say the agencies' measures fall short of what is necessary to protect workers at very high risk of exposure, including healthcare workers treating patients with the virus, also known as COVID-19.

For example, a top House Democrat is faulting the Centers for Disease Control and Prevention (CDC) for issuing revised guidance that the lawmaker says will weaken protections for healthcare workers and emergency responders by approving their use of less-protective surgical masks in lieu of more-protective filtering face respirators.

The coronavirus is rapidly spreading around the world and at press time the CDC reported that there are 1,215 confirmed cases in the United States and 36 total deaths, in 42 states and the District of Columbia.

President Donald Trump gave a March 11 speech from the Oval Office in which he outlined steps he said are designed to curb the spread of the virus, including banning most travel from Europe to the United States.

His remarks did not mention efforts EPA, OSHA and other agencies have taken, or could take, to assuage the general public's concerns, though he also announced a \$200 million emergency action to defer tax payments and associated interest and penalties "for certain individuals and businesses negatively impacted."

Trump also signed a presidential memorandum directing his cabinet to make general use face masks available to healthcare workers -- a move some Democrats are criticizing.

"This is yet another decisive action to safeguard the health and safety of the American people, especially our Nation's dedicated healthcare providers, during the COVID-19 public health emergency. President Trump is focused on the health of the American people, and so his Administration has taken action to provide protection to manufacturers that will enable production of millions of additional masks for our healthcare providers," says a White House press release.

But Rep. Bobby Scott (D-VA), chairman of the Education & Labor Committee, issued a statement saying the memorandum will weaken healthcare workers' protections as surgical masks are less-protective.

"I recognize that individual facilities may face shortages of certain types of personal protective equipment, including N95 respirators, but there is no evidence that surgical masks are adequate to prevent exposure of frontline health care workers to the virus that causes COVID19. CDC should prioritize conserving equipment and systematically addressing any shortages as they occur, instead of placing every health care worker at increased risk," he said.

### **Agency Telework**

But federal officials are defending Trump's efforts. "I applaud the President for his leadership during this unique time in our Nation's history. He continues to take swift action to protect the safety, security and health of all Americans," EPA Administrator Andrew Wheeler said in a statement.

Wheeler said that EPA will continue to monitor the situation and communicate regularly with its employees and the public, while working with other federal agencies to address the pandemic.

He also touted steps the agency has already taken. These include its publication last week of a list of approved disinfectants and its notification to disinfectant registrants that it is expediting review of submission from companies requesting to add Emerging Viral Pathogens claims to their already registered surface disinfectant labels.

"This action will help move these disinfectants to the market more quickly, without diminishing the scope of the review to ensure safety and quality of the product. By prioritizing these reviews, we are ensuring that Americans will have access to all approved and market available surface disinfectant products," Wheeler said.

EPA also recently launched a web page about COVID-19 at it relates to drinking water and wastewater. "The COVID-19 virus has not been detected in drinking-water supplies. Based on current evidence, the risk to water supplies is low. Americans can continue to use and drink water from their tap as usual," according to the website.

Internally, EPA has also told its employees to prepare for teleworking if necessary. Vaughn Noga, the agency's chief information officer, on March 11 sent a message to the entire workforce outlining the logistics involved with working remotely so that staff can be "telework ready," according to a tweet by E&E News reporter Kevin Bogardus who first reported the message.

Noga's message comes days after the agency took tentative steps to address growing concerns about the adverse impacts the coronavirus could have on its workforce, pursuing several plans that include notifying some regional office employees they are eligible for unscheduled telework.

EPA is eyeing various measures in line with March 3 guidance from the Office of Personnel Management (OPM) telling agencies to review their contingency plans because "this is an emerging, rapidly evolving situation."

OPM has also issued additional guidance in the wake of concerns from some Senate lawmakers that the earlier preliminary guidance was insufficient to deal with the threat of the virus.

EPA's response includes a March 6 note it sent to employees that says the immediate risks to the workforce from the virus are low, but that the agency will follow recommendations of local health departments with respect to its operations, according to an agency source.

The note cites as an example EPA's decision to allow Region 10 Seattle office staff unscheduled leave and telework at the recommendations of the King County, WA health department and the city of Seattle, given the large number of COVID-19 cases in the state. EPA has subsequently announced similar flexibility for its Region 9 headquarters located in San Francisco, the source notes.

The March 6 message to employees also indicates that EPA is continuing to evaluate non-essential travel following the OPM guidance on contingency planning during the pandemic.

#### **'Appropriate' PPE.**

OSHA is also taking steps to respond to the virus, publishing a "Guidance on Preparing Workplaces for COVID-19" that it crafted with the U.S. Department of Health and Human Services (HHS).

It details safe work practices and "appropriate" personal protective equipment for employees to wear based on their exposure risk ranging from "lower" to "very high" -- describing the latter as jobs with "high potential for exposure to known or suspected sources of COVID-19 during specific medical, postmortem, or laboratory procedures." Workers in this category include healthcare workers, laboratory personnel, and morgue workers.

The guidance outlines steps that workers in the various categories of risk exposure can take to help reduce that risk, including through the use of protective gear and other measures.

While the agency is outlining options for protecting healthcare workers, OSHA recently issued a statement on its website that said it has no specific workplace safety standard for COVID-19.

Some House Democrats say the only effective way to ensure protection for healthcare workers against the virus is by enacting H.R. 6319, also known as the COVID-19 Worker Protection Act. The legislation would force OSHA to create an emergency temporary standard to protect workers against the virus. -- *Anthony Lacey* ([alacey@iwpnews.com](mailto:alacey@iwpnews.com))

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**E&E News**

**EPA issues guidance on coronavirus at the tap**

By Tamara Ward- 3/12/20

As many Americans stockpile bottled water amid fears about the COVID-19 pandemic, EPA has released new guidance backing the safety of continuing to drink water from the tap.

The online document — "[Coronavirus and Drinking Water and Wastewater](#)" — is meant to offer clarity to the public on the potential impacts of the virus on the nation's water supply.

"Americans can continue to use and drink water from their tap as usual," according to the guidance released yesterday.

The COVID-19 virus has not been detected in drinking water and the risk to water supplies is low, the agency concluded, based on current evidence from the World Health Organization.

In addition, EPA does not require that anyone boil tap water before consumption as a precaution against the coronavirus. Tap water is also safe for hand washing, which the agency recommends doing vigorously to prevent the spread of the virus.

EPA has established regulations for public water systems with treatment requirements that prevent waterborne pathogens such as viruses from contaminating drinking water and wastewater.

"These treatment requirements include filtration and disinfectants such as chlorine that remove or kill pathogens before they reach the tap," EPA said.

EPA also pointed to the WHO's determination that conventional wastewater treatment methods that use filtration and disinfection should "inactivate" the COVID-19 virus. The finding is consistent with those of the Water Environment Federation's Waterborne Infection Disease Outbreak Control Working Group, which said COVID-19 organisms are "not very tough" and can be disinfected quite easily with low doses of chlorine ([Greenwire](#), March 5).

Additionally, EPA said "there is no evidence to date that COVID-19 virus has been transmitted via sewerage systems, with or without wastewater treatment."

EPA does suggest that homeowners with private wells consider including certified home treatment devices and other methods that remove bacteria, viruses and other pathogens if they are concerned about the virus getting into their drinking water.

The agency expects "a properly managed septic tank to treat COVID-19 the same way it safely manages other viruses often found in wastewater."

Last week, an agency spokesperson told E&E News that EPA is coordinating with federal partners including the Centers for Disease Control and Prevention on coronavirus guidance.

Earlier in the week, CDC released its own guidance and fact sheet on transmission of the novel coronavirus in water ([Greenwire](#), March 11).

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